

A FREE  
DISCOURSE

Wherein the  
DOCTRINES

Which make for  
TYRANNY  
Are Display'd.

The TITLE of our Rightful  
and Lawful King *W I L L I A M*  
Vindicated.

And the unreasonableness and mischie-  
vous Tendency of the odious distinction of  
a King *de Facto*, and *de Jure*, discover'd.

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By a Person of Honour.

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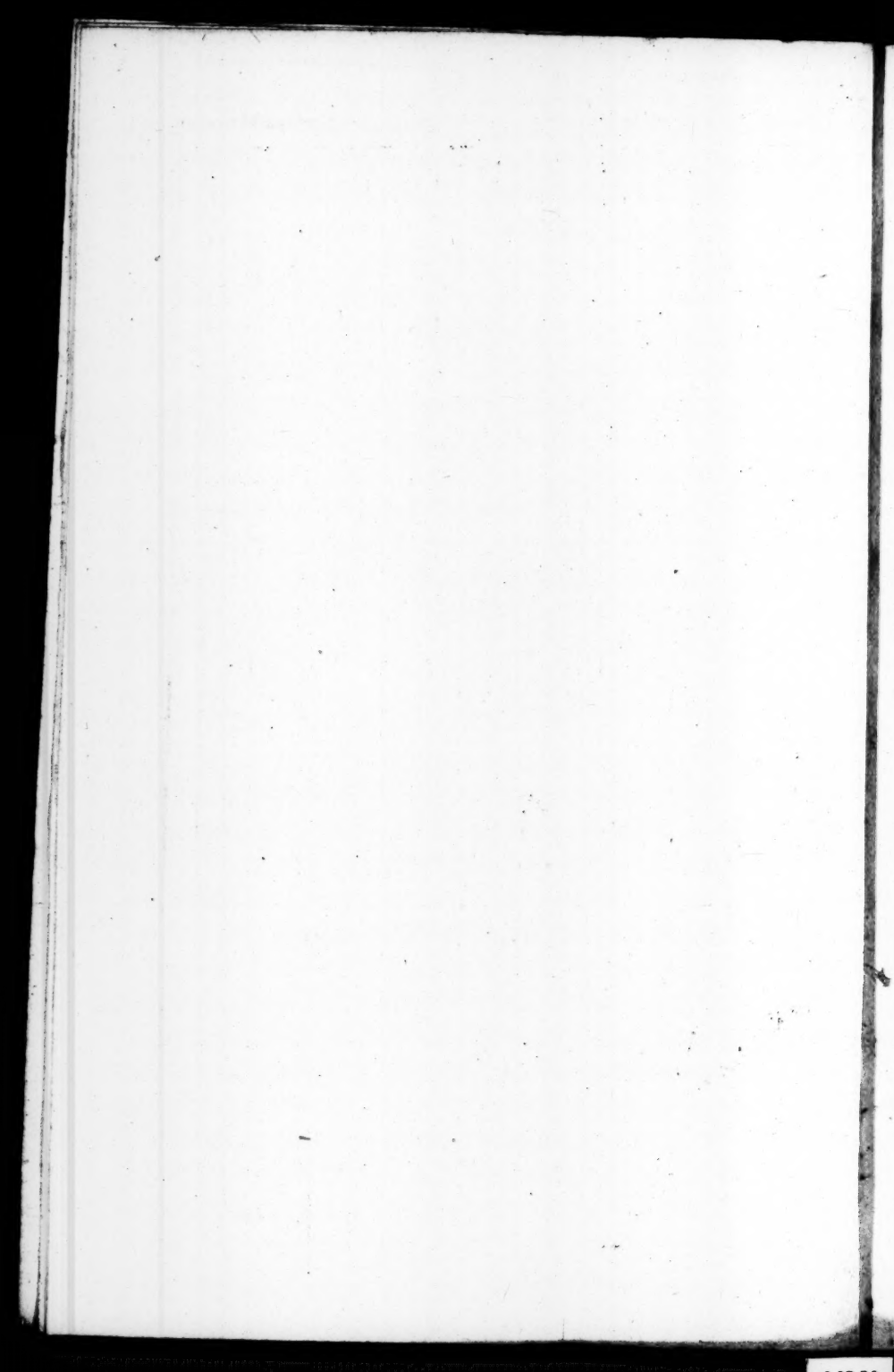
*Quo sis Africane alacrior ad tutandam Rempublicam, sic habeto, Omnibus qui Patriam conservaverint, adjuverint, auxerint, certum esse in Cælo, ac definitum locum, ubi beati sempiterno ævo fruuntur.*

Somn. Scip. è l. 6. Ciceronis de Republica.

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**I** HAVE never been Consci-  
ous to my self, that the Temp-  
tation of any base Interest, or  
the Apprehension of any  
threatning Danger, could cor-  
rupt me to betray, or force me to de-  
cline, that which I well knew to be  
the true Interest of my King and  
Country; and therefore have I con-  
stantly look'd upon those, that made  
it their Business to break in upon the

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History of England 2.8016 Harding 123

just Rights of the one, or the other, as unhappy Contrivers to involve the Nation, in a consuming Debt to Tyranny, or Confusion, which the People shall be sure to pay, out of their Enjoyments in Life, Liberty, and Property.

Of Consequence therefore, I must with-grating Affliction have observ'd, how strenuously this vile Design has been labour'd, from towards the latter end of King *Charles* the 2d, to this present time. Under the screening shelter of that Prince, Popery and Arbitrary Power were favour'd, and cherish'd with all the Art and Industry, which Men of slavish Principles, and profligate Consciences, could devise and apply, till the twin Monsters were thought arriv'd at that fulness of prodigious Stature, as no longer to need his Life, for their Concealment or Protection.

As a good Preparative for the Introduction of Arbitrary Power, in which are all the hopes of Popery, pernicious

Imperial

\* *Jovian.*

\* Pamphlets were publish'd, in which it was magisterially asserted, That the Realm of *England* was such a compleat

Imperial Sovereignty, as wherein the King had full, perfect, and intire Jurisdiction from God alone ; and that his Subjects ought rather to suffer Death wrongfully, than resist him. It was speciously granted indeed, That there were Political Laws to secure the Rights of the Subject : but it was stily maintain'd, That the Imperial Laws, which ascertain'd the Rights of the Sovereign Prince, were superiour to the Political, and might and ought to determine when the Political Laws should be observ'd, when not. As much as to say, The Rights of the Subject should be secure from all Invasion, but that of their King. Well ! that's worth something, tho' the Clown in the *Greek* Epigram, would not have much valued it ; For, said he, a little irreverently indeed, but very plainly, and to the purpose,

— Ηρακλῆς ἕνα ὃ κίλιον, ἢ παχὺν ἀνα  
 Αἰτᾷ, καὶ πάντως ἐν δούλῳ ἐκλέγεται.  
 Ἀλλὰ λύκος εἶργει· τί ὃ τὸ πλέον ; εἰ τὸ φυλαχθεῖν  
 Ὀμνύει, εἴτε λύκοις, εἴθ' ὑπὸ τοῦ φύλακος.

*Hercules, that defends my Flock from the  
 A 3 Wolf.*

*Wolf, has ever and anon, a fat Sheep for Sacrifice, the Wolf has no more for prey. I lose on both sides ; for 'tis all one to me, whether the God has it roasted, or Isgrim raw.*

The Judges, in King James's time, very leernedly stated, and decided the Matter ; pronouncing, That in Cases of Necessity, the King might dispense with the Laws, and that he was Judge of the Necessity.

These Gentlemen seem to have had some Modesty, tho' no more Conscience than the other ; or, perhaps this little show of Modesty, was a cast of their Wit, they made use of the Fowler's cunning, stalkt under shelter, to get a full shoot at the Peoples Liberties, which was the Quarry they aim'd at ; and dead they laid it, beshrew their hearts for their pains. But 'twas a sorry piece of cunning, which would never have taken, but that the Game they shot, was 'tangled in a Net before.

Who sees not, that if the King may dispense with the Laws in Cases of Necessity, and be Judge of the Necessity, he may dispense with them as often

ten as he pleases? wherefore his learned Sages of the Law might have spar'd their Wit, and more ingenuously with open boldness, have asserted and declar'd like *Richard* the 2d, That the King's Will was the Law. This is what the false Coiners of the cheating distinction of Imperial and Political Laws, and the corrupt Putters of Necessity-Cases [which makes the People's Slavery the one thing necessary] would fain be at. But the Design is so wicked and odious, that to own it in plain words, were the way to overthrow it: In truth, subtle Distinctions, and Cases which have never happen'd, are like to make the most of this bad Market. Thus all in the Land of Metaphysics, where every Period or Page of famous School-Divinity, harbours wild Notions of Religion, which cannot be explain'd, and made intelligible, much less prov'd and ascertain'd by clear Reason; the Sons of Science supernatural, the *Mystic Adepti* introduce them, with proper Terms of Art, [Terms useless to any other purpose] and settle and 'stablish them for ever, [*i.e.* as long as ever they can be settled

and establish'd ] on the unexamin'd Foundation of perplexing Distinctions.

There were not wanting among the eminent Clergy, who, as if they would go a length *K. Richard* never dream't on, seem'd to intimate, That the King's Will was not only the Law, but the Religion of the Country too; and Passive Obedience, the only wretched Portion of the unpeopled People; for then they were no longer a People, but a plunder'd and enslav'd Rabble, left only Tenants at Will for their Lives, Liberties, and Properties. In such a wretched Case, it would become the unpeopled People, to have always their Loins girt, Shoes on their Feet, and Staves in their Hands; not like *Israelites* taking leave of their hard Masters, and going to set up for themselves; but like the Shepherds of *Cremona*, waiting for the terrible Sentence—*Veteres migrate coloni*. Be gone ye old *English* Race of stubborn Freeholders, ne're trouble your selves how ye shall drive your Flocks, but leave such things behind you; haste, haste, you have nothing to pack up, unless  
your



your old Wives, and young Children ; haste, and make room for naked Colonies of *tres humble Monsieur Serviteurs*, that shall not dare to call their Wooden Shoes their own ; but Soul and Body become all Obedience, let [with Spiritual Curb, or Temporal Snaffle] Priest or Tyrant ride them.

The design of changing our Legal, into an Arbitrary Government, was copy'd from the *French* Original. In *France* 'twas laid in the Reign of *Lewis* the XI. and took effect to the destruction of the Rights of the People, by destroying the Power of Parliaments. The destruction of the Power of Parliaments was carried on by very sober paces, by the most easie and modest Encroachments, that People weary of their Liberties could have wish'd for. The King did not pretend to raise Money, when he pleas'd, —by himself,—and without his Parliament; no,—good Prince,—not He. All that he desir'd, was only to be permitted to raise Money, —now and then,—upon occasion,—in the Intervals of Parliament ; and not that neither, but in Cases of pure Necessity, when the Safety

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ty of his good Subjects absolutely requir'd it. And how could it be deny'd him, who lov'd his People so well, to judge of Cases of Necessity. But the Power of raising Money being once gone, the deluded People presently perceiv'd, that they had purchas'd their Slavery with it. For now all Power fell easily into the Hands of the King. In vain it was to dispute with him any Civil Rights not yet parted with by name, or even the publick Profession of Religion. For the Power of Raising Money is, in effect, the Power of doing all things; just so is it with the Article of Infallibility, admit but that *πρωτον θεῦδα*, that first false Article, and you must stand with his Holiness for nothing, but believe thro' thick and thin, in spite of Sense and Reason. Well! the *French* King became, by the above-said Artifice, at perfect Liberty to be, or not be a Tyrant, which he pleas'd. Let no one ask how he govern'd himself; for, did ever Man grasp at the Power to do Mischief, without the purpose? If there have been such mysterious Riddles of irregular Vertue, yet  
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the *French* King's after *Lewis* XI. were no instances of it. In them it plainly appear'd how effectually the temptation of unlimited Power works on Ambitious Nature. Ambitious Nature seldom or never esteems any thing enough, if there be any thing at all out of her Possession. It has not been enough for *Lewis* the XIV. to be the Law, but he must be the Religion also of his Slaves. With a great many it was Argument enough to be of the Religion he requir'd, because it was his : while his Spiritual Dragoons disputed more forcibly with those of a more backward Faith ; The Priests had stood altogether idle, and unconcern'd in this Conversion, but for the merit of that flattering Doctrine. A King is accountable to none but God, but to make amends for their being less serviceable than the Military Men, their unaccountable King shall be stil'd, the Vicegerent of God, nay the very *Image* of the Most High, tho' they spoil the Argument in the First Chapter to the *Hebrews*, for the Divinity of Christ. I wonder they do not maintain, That their King is accountable to  
none

none but himself. For if he prescribes them their Religion, as well as dictates their Law, he is their Idol God, as well as their Royal Tyrant.

But, as I noted, Ambitious Nature never esteems any thing enough, when there is yet something out of her possession, therefore *Lewis* the XIV. is for advancing his Tyranny over his Neighbours also. To this purpose, his method has long time been to corrupt the Courts of Princes by his *Louis d'Ors*; to surprize Un-armed Countries, and Ill-provided Forts, by breach of his Oaths: Thus his Treachery has many Years purvey'd for his Cruelty, and his Cruelty shed Torrents of Blood to quench the raging Thirst of his Ambition. He has plunder'd the Monuments of the Dead, and the Altars of his own Gods, nor Fearing, nor Reverencing one more than the other. He has broke his Leagues with Christian Princes, as long as they would trust him; has kept them, something better indeed, with the *Turk*, for it was his Interest, tho' the *Turk* is not his only Allie, for he has the *Devil*, and the *Pope* beside.

What

What good understanding there is between him and the Pope, the World sees, and he that will not grant him to be in League with the Foul Fiend also, must believe that there's no Devil in Hell, or no Monkish Conjuror in *France*, to bring those mighty Potentates together. Is there any difference between Neighbouring States? *Lewis* will interpose to settle it, and never leave 'till he has settled, or made it wider. Is any Prince or Princess to be Married? He proposes a Match for them, some Bastard Son, or Daughter of his own, well pre-instructed what returns to make him, for their Preferment. Is there any Candidate labouring for a Sovereign Bishoprick, or Coadjutorship, who has very little reason to support his pretences? *Lewis* the Grand will serve his hopeless interest, out of his own free mischievous Generosity. When he prospers, he fights for the glory of his Majesty; When his Affairs are in some danger, he labours only to extirpate Heresie; but in neither of these Cases, thinks it improper to assist an Heretical Noble Revolter against  
his

his Catholick Lord and Master. In sending abroad Embassadors, he choseth Huguenot *Ravigni* for *England*, a stout Toper for *Germany*, a bold Marquees for *Rome*, a grave Clergy-man for *Spain*. In short he makes himself all things for all, that he may confound all Nations, and turn the World into a Wilderness.

This is the *French* Original, which some unhappy men among us have studiously set themselves to Copy. Now in the First place God be prais'd, then due thanks paid to King *William* our Deliverer, and every Noble Asserter of our English Liberties in the Convention-Parliament, for that, the work of those unhappy Copyers was disturb'd, and so they could never finish their Piece; but they gave us a plaguy sketch of it in the last Reign.

But there is another Original Draught of a Tyrant, set forth in that excellent History of the Revolution in *Sweden*, wherein many particulars bear a perfect resemblance of our Late Times, as to the great Transactions both in *France* and *England*, which is not to be wonder'd at, but rather to be  
be



be consider'd as a good Evidence, that all Tyranny is alike; for tho' the Streams from the same Fountain may run in several Ways, and Channels, yet they all tend to the same Ocean of Blood.

After the Death of the Brave *Steno*, the Worthy Administratour of *Sweden*, *Christiern II.* succeeded his Father in the Kingdom of *Denmark*, and obtain'd the Crown of *Sweden* by Conquest. This Prince was not more ambitious to make others his Slaves, than he was, himself to become the Slave of *Sigebrite*, a Woman who had neither the Charms of Youth, or Beauty to Captivate him. But this notwithstanding, her Power was as great over him, as if she had seem'd intit'led to it, by all the Perfections, which Nature could have bestow'd upon her. It is hard to be imagin'd how an Old *Dutch* Woman could obtain this absolute Dominion over a haughty Monarch, unless it were by perswading him to assume the same over others. The Inhumane Politics of this She-Favourite were extremely agreeable to the fierce and cruel Disposition of  
*Christi-*

*Christiern* ; He look'd upon the Antient Liberties of his Subjects, as inconsistent with his Royal Honour and Dignity ; and she tempted him to sacrifice a whole Senate to his Arbitrary Ambition. This, this was the pleasing Conjurat[i]on, that charm'd him, whose Nature was not so pardonably wicked, as to dote on Youth and Beauty ; The Tyrant receiv'd the Malitious Addresses of his furious Mistress, as Testimonies of her passionate Fondness for him, and so gave her that dominion over himself, which he resolv'd to have over the *Suedes*. He found the Pulse of the Church beat as high as his own, they were even impatient to make their King, their Tyrant, supposing that their share in the Ecclesiastical part would be as Flourishing, as his in the Civil ; and the violent Archbishop of *Upsal* fancied he should not be much the lesser Monarch of the two.

*Christiern* ill enough dispos'd of himself, and always animated to mischief by his Hellish *Erinnys*, quickly came to a resolution of destroying all the Senatours and Principal Noblemen,



men, that had been, or were like to be Enemies of his Imperial Arbitrary Authority. To facilitate the fatal Execution, he put on a better countenance, than the Withered Hagg his Spightful Favourite wore, no cloud sat on his Royal Brow ; but all was clear and calm there, proper as could be to perswade them to trust, who once suspected him. With this show of Gentleness and Affection then, he invites the Lords to a Magnificent Feast at *Sockholm*, Two Days they were highly treated, and on the Third Massacred.

Yet was not the Imperial Tyrannick Thirst of *Christiern* satisfied, for the Great *Gustavus*, with some few Illustrious Patriots escap'd the Slaughter, wherefore he sends fresh bloody Orders to his Troops, who presently put the whole Town to the Sword, sparing none except the Old and Ugly, but them, perhaps in Complement to *Sigebrite*. Nay so utterly averse did this Tyrant then show himself to all Humanity, that when a Swedish Gentleman could not restrain his Grief, beholding such a Scene of Horrour, he

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had

had him fastned to a Gibbet, and his Bowels torn forth, because of his tenderness and compassion.

This surprizing Bloody Start from a King to a Tyrant, terrified the People so extreanly, that it dispos'd them to do their parts to free themselves from their deplorable Condition. Slavery may be the misfortune of a People, but to submit to it; can never be their Duty; And I much question whether in the like Case, our Advocates of Imperial absolute Sovereignty would not have been of the same mind with the *Swedes*; and not by their Passive Obedience have acknowledg'd their ruine for their Religion. Well! in a short time, what the *Swedes* long'd for, a Deliverer appear'd. He was the injur'd *Gustavus Ericson*, descended from the Ancient Kings of *Sweden*, and Nephew to King *Canutson*. *Christiern* had now not only Abdicated his Government, by his Tyranny, in the utter subversion of the Laws, Rights, and Properties of the People, but being generally Hated, Beaten, and Forsaken, he Consumated his Abdication by Flight, and *Gustavus* the Generous  
Deli-

Deliverer, was by a Convention of the Estates, with the Joy of the People chosen King of *Sweden*, which he govern'd happily all the days of his Life.

A Philosopher being ask'd, which was the most dangerous of all Beasts, Answer'd, of Wild Ones, a Tyrant; of Tame Ones, a Flatterer: These Tame Ones hunt the Game like *Jacalls*, and with their plaguy yelping excite, and guide the Wild Ones to the Prey; and this they do, in hopes, that, when their Lawless Masters are cloy'd, they may satisfy their own Appetites with Reliques of that Destruction, in which they had been instrumental.

This *Jacall* yalping in *England* was never more Fierce, Eager, and Loud, than in the Reign of King *Charles II.* and it was a proper time for the Enemies of *England*, and the Protestant Religion, with the advantage of the shelter which he gave them, to make preparation for the Triumphant Entrance of Popery and Slavery. And at that time they did not neglect the opportunity, witness the *Dover Treaty*; The Popish Plot discover'd by Doctor

Oates, and many a bantering Sham, that could not be brought to pass upon the People ; but then something that could make its one way came on, *Quo Warranto's* like Bombs were thrown into Corporations, which miserably destroy'd their Antient Charters ; Dispensing Judges were advanc'd ; Proper Sheriffs chosen, and all unjust Arts used to dispose things for the easier plundering the Nation of their Liberties, Properties, and Religion. These unrighteous Proceedings would hardly have been ventur'd on, but for the Countenance that was giv'n them by the Doctrine of Passive Obedience, a Doctrine not reveal'd by Jesus Christ, nor recorded in his Gospel, but *stamp'd by latter Creation*, under the protection of which, any King may play the *Christiarn*, or the *Lewis* safely, and without controul. This *Creation stamp'd Doctrine* grew in such Credit, and Esteem, that not a Man, who did not give his Assent and Consent to the same, could be allow'd to be a true Son of the Church, scarcely to be a Christian.

The unlimited Power of a King having been so strenuously asserted, and so successfully in the Proceedings of those Times, seem'd to make the death of King *Charles* very seasonable for the opening the Execution of the Grand Design, in a barefac'd Subversion of the Religion and Laws of *England*.

King *James* at his first coming to the Crown seem'd to endeavour to take away the Apprehension, and Terror that was justly imagin'd to fill the Minds of People. And in his first Speech declar'd so much tenderness for them, and such a respect for the preservation of their Liberties and Properties, that the cajol'd Parliament from an excess of Satisfaction, shew, [ I may safely say ] more Affection to him, than ever Parliament did to a Protestant Prince, and gave Money, till he himself put a stop to the profuse and excessive Expressions of their Satisfaction. It must be granted that the lives of some Professors are not so bad as the consequences of their erroneous Opinions : And it was charitably thought by the Parliament, that

King *James*, tho' a Papist, would not Govern so Arbitrary, as the encourag'd Doctrines of the Age gave him leave; but they quickly perceiv'd their Error, and found to their Sorrow, that Popery, and Arbitrary Power could no more be seperated, than the double Monster that was shown in *London* of two Brothers, one growing out of the side of the other, who were so intimately conjoyn'd, that the Life, Decay, or Death of the one was equally the Concern, and Fate of the other. For now he began to put his Imperial Laws in Execution, and by dispensing with, fairly abrogated all the Political, which should have secur'd the Rights of the People, but alas! they were betray'd into his hands, and he without Mercy dispatch'd them. To me it seems almost impossible, but that the Spiritual Defenders of the Absolute Power of an English King—who deliver'd that Power to be Gospel, and the Slavish Judges who declar'd it to be Law, should have deplor'd the Wounds they have given to the Religion, and Laws of their Country, unless the hopes of a share in the Spoiles had prevail'd



vail'd above all honest Considerations, and unless they had been themselves as ready to embrace the Popish Religion, as they had been instrumental to set it up. Together with the first Exercise of an Arbitrary Power, the Popish Religion began to appear on the Stage; and the Monks and Friars enter'd to act in their proper Habits; Seminaries were set up in several places, and Houses fill'd with those Religious Furies; Father *Peter*, a Jesuit was made of the Privy Council, and reign'd Chief Minister. Thus from the Spring of Imperial [ *i. e.* Arbitrary ] Power, an over-flowing Deluge broke forth, threatening miserable occasions for the Religious Exercise of that Fatal Duty, Passive Obedience.

King *James* no sooner altered from what he seem'd to be in his first Speech, but the People alter'd from what they were. Their Satisfaction in their new King vanish'd, and from the hopes of living happy Subjects under him, they sank into the Apprehensions of becoming despis'd, and ear-board Slaves. A general Consternation fell upon the

whole Body of the People ; and even those Clergy-men that were the Tools to Subvert their own Religion, and the Civil Rights of their Brethren, were afraid that themselves should feel the Thunder with which they had arm'd their Tyrant. This brought them quickly to interpret away the grammatical, plain, mischievous Sense of Passive Obedience ; and as for the Exercise of it, that they were so far from practising [being above their own Ordinances] that no honest Men were more forward to invite and joyn with a Deliverer, than these Shifters.

The miserable Condition of *England* at that time, did not only move Compassion in our Neighbours, but [as we have reason to believe] put them in mind, that the Disease we labour'd under was catching ; and if it was not timely repell'd by their Assistance, it would not be long before they lamented their own Fate. They were therefore, for our, and for their own sakes, aiding and assisting to our rightful and lawful King, the then Prince of *Orange*, whom God and his own Vertue prompted to attempt our Deliverance.

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The difficulties that threatned this attempt were great and discouraging, but he, who was incapable of fear, despis'd the Dangers, Landed some Forces at *Torbay*, and met a Success answerable to the justness of his Cause, and the greatness of his Courage.

But before he set forward, to take off all Suspicions that might reasonably arise, where an Army came, that might pretend to Conquer, as well as to relieve, he put forth a glorious Declaration Proclaiming that his Expedition was intended for no other end, but to have a Free and Lawful Parliament Assembled, soon as possible, to secure to the whole Nation the free enjoyment of their Laws, Rights, and Liberties, to preserve the Protestant Religion, and cover such as would live peaceably under the Government, [as becomes good Subjects] from all persecution on the account of Religion, Papists themselves not excepted.

King *James* was now reduc'd, to that, wherein he seem'd always to place his greatest trust, an Army, [for the Preachers had forsook him, and their own Slavish Doctrines sometime before]

before] with the Army then he advanced to *Salisbury*, but found that they were a part of injur'd English Men; seeing himself therefore deserted by them, as well as by his Chaplains [who invested him with his illegal Arbitrary Power,] and all the honest English; he left the Kingdom, thus he did, as it were, Sign and Seal his own Abdication, which was grown as full and perfect as obstinate Tyranny could make it; And as his Act and Deed the Nation took it, then the Lords, and the Commons represented in their chosen Trustees, settled the Crown and Royal Dignity on King *William* and Queen *Mary*, the exercise of Regal Power, on their glorious Deliverer only. Thus did they restore the Old Constitution of redem'd *England* in King, Lords, and Commons.

There was before the settlement of the Crown, (*Feb. 4. 1688.*) a great Conference between the Lords, and Commons, chiefly on two Particulars Voted by the Commons.

1. That King *James* had Abdicated the Government.

2. That

2. That thereby the Throne became vacant.

The Lords insisted on altering the Word, *Abdicated*, and in the place thereof, to insert *Deserted*. Also they were not willing to admit those Words—*The Throne is thereby become vacant*. The exception against the Word *Abdicated* was, that in the common acceptation of the Civil Law, it imports a voluntary express Act of Renuntiation, which was not in this case, and did not follow from the Premises.

To this the Commons answer'd, that the doing an Act inconsistent with the being and end of a thing about which it is conversant, or which shall not answer the end of that thing, but go quite contrary, That *Act shall be construed an Abdication, and formal Renuntiation of that thing*. This they exemplified. Thus, the Government is under a Trust, and any acting contrary to that Trust, is a *Renuntiation* of that Trust, tho' it be not a *Renuntiation* thereof by a formal Deed. For *Act* and *Deed* is as plain and full a *Declaration*, as a *Writing* can be. He  
that

that acts contrary to a Trust is a Disclaimers of that Trust, tho' he does not disclaim it by a formal Deed. From all this they drew these just Consequences—That King *James* having Acted contrary to his Trust, had Abdicated his Government; and that having Abdicated it, the Throne is thereby become Vacant.

But the Lords insisted, that the Throne could not be Vacant, because there was an Heir, and that in a Successive Kingdom, an Abdication of the Government by a Tyrannous breach of Trust, could be a forfeiture only as to that Person, who Tyrannically breaking his Trust, does Abdicate the Government; but not as to the next Heir, so as to put him by, and make the Government elective. Therefore the Abdication of King *James* the II. could not prejudice the next Heir, and then by consequence the Throne was not vacant.

The Commons upon this demanded, that the Lords would tell them, with whom the Throne was fill'd.

The Lords only answer'd in general, that it was sufficient to know, that there

there were Heirs to take by lineal Succession, tho' they did not, or could not expressly name the particular Person, whose right it was to fill the Throne. And therefore tho' they could not say who fill'd the Throne, yet they had reason to conclude, it was not Vacant. The Commons then represented to the Lords, that their Lordships would neither agree, that the Throne was Vacant, nor say how it was full, and desir'd to know who was King, if King *James* was not, or were they to be always in that doubtful Condition? For none could be King *James* his Heir, during his Life, the Crown could not descend till his Death.

The Lords replied, That tho' the King be not dead Naturally, yet if he is so Civilly, the next of course ought to come in as by Hereditary Succession.

The Commons replied, That their Lordships held it a difficult thing, to go upon the examination who is Heir, and demanded, if that was not clear, whether they were always to remain under the difficulty. As for the Commons, they were not concern'd what words

Words were us'd, *Fill up, Nominate,* or *Elect*, 'Twas the Thing they were to take care of, and 'twas high time it were done.

It was farther demanded of the Lords, whither, if there had been an Heir, to whom the Crown had descended in the Line of Succession, and this Heir certainly known, their Lordships would have assembled without his calling? Or would have either administer'd the Government themselves, or advis'd the Prince of *Orange* to take it upon him? A known Successor being in Possession of the Throne, this would amount to High Treason, and such a one must be in Possession if the Throne were not vacant. Their Lordships were press'd to consider that they had concurr'd with the Commons in this Vote — That it is inconsistent with our Religion and our Laws to have a Papist to reign over us. Upon this it was askt, Must not we come to an Election if the next Heir be a Papist? The concluding Stroke was, That if their Lordships would not allow the Throne to be vacant, nor name the Heir who fill'd



fill'd it, the Nation would be left in in Confusion and Distraction; but the Lords were not willing that should be left at their Doors, therefore, after they return to their House, they sent a Message to the Commons on *Febr. 7. 1688.* That they had agreed to the above said Votes of the Commons without any Alteration.

I thought it necessary to the chief Purpose of this Discourse, to set down some General Arguments of this Conference, which is to be seen at large in Print, and is most worthy to be read by all that think it worth their while to look into the Constitution of the English Government, and to understand the Reason and Grounds of our late Settlement.

I would now demand of any one, that had not given double Security to the Goddess of Errour, by Swearing first to be always of his present Opinion; and secondly, never to examine the Reasons of it; I would, I say, demand of any, but such an over-prejudic'd Man, by what other way, or means, the Nation could have been justly settled, besides that way, and those

those means, by which the Representatives of the People conventionally assembled did settle it.

The Commons came to a Vote, Jan. 28. 1688. *That King James the Second, having endeavoured to Subvert the Constitution of the Kingdom, by breaking the Original Contract between King and People; and by the advice of the Jesuites, and other wicked Persons, having violated the Fundamental Laws, and having withdrawn himself out of the Kingdom, hath abdicated the Government, and that the Throne is thereby become vacant.* And after a long Conference betwixt the Lords and Commons, the Lords on Febr. the 7th, next following, sent a Message to the Commons, to acquaint them, *That they had agreed to the Vote sent them up of the 28th of January, without any Alterations.*

Here now was the whole Body of the Nation, the Lords by themselves, in their own Persons, and the People by their Representatives, agreed, *That King James had Abdicated the Government, and that the Throne was vacant; by which it is evident, that there*



there was as great a necessity to provide a Supply, and that by way of Election, as there was to have any Government at all; for if a People without Government, and desirous to settle a Government, must not choose for themselves, I would fain know who must? It is not to be expected that God should miraculously interpose, and for any Enemies or Neighbours to intermeddle, is against the Nature of the thing; because the end which the People seek in Government, is to secure themselves against all that are, or may be Enemies. It remains therefore, that they must choose for themselves, both who shall govern them, and by what measures. The Lords indeed, in the great Conference, spake much of an Heir, and argued strenuously for his Rights; but knew not who that Heir was, nor where to find him; and there's no being govern'd by the Lord knows who, that is to be found the Lord knows where; or, as old *Maynard* phras'd it, *in the Clouds*. If the Lords had known of any Heir, they had not admitted a Vacancy; if the Votes of the Majority of the Re-

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representatives of the People had not supplied the Vacancy by resetting the old Constitution, or framing a new [which at that time they were at liberty to have done] every one of them must have been left in a state of Nature, which 'tis every Man's Interest to get out of as soon as he can: For tho' in a State of Nature, no Man has a Licence to do what he pleases, every one being under obligation to the Dictates of Reason, which is the Law of Nature; yet, in that State, no Man has the Advantage of more than his single Wit and Strength to do himself Justice when he happens to be injur'd, which Inconvenience is the great Motive that inclines Men to unite in Society, and put themselves under such Form of Government as they like best.

When the Representatives of the People were conven'd to supply the Vacancy, [after that King *James* had sufficiently published that he would have nothing to do with the Government upon the Terms of the Constitution, and according to the original Contract] the Condition of the Nation

tion seem'd to be the same, as when the Original Contract was first made, the People choosing their Ruler, and agreeing the Laws, by which he should rule them; which Original Right can never be justly taken from them, until the Champions of the Imperial Laws of a Tyrant, and the Preachers of Passive Obedience Slavery, can prove, that the People were made for the Advantage of their Kingly Ruler, and not the Kingly Ruler for their Advantage.

I know it has been affirm'd, that *breaking the Original Contract*, is a Language that hath not been long in use, nor is known in any of our Law-Books, or Publick Records; but is taken from some late Authors, and those none of the best received. 'Tis strange with what confidence some Men by the help of a little Artifice will advance the denial of Truths obvious and evident enough, presuming, that at the same time, they shall by their Intimations and Insinuations, establish their own wild, pernicious, and novel Notions. *Imperial Laws* controuling the Political, *Jure divino*

*Tyranny*, quiet Submission to illegal Violence, commonly called *Non-resistance*, sometimes disguis'd under the absurd Phrase of *Passive Obedience*, this without Controversy is barbarous Language, no Man ever yet in our Law-Books or Publick Records could find either name or thing. Of what antiquity these Doctrines may be in the Writings of some Clergymen, is not material, for neither Christ, nor his Apostles, nor natural Reason requires any Man quietly to submit to illegal Violence, and look upon a Tyrant as the Ordinance of God. But yet there are among the Clergy some good Men who abhor these unchristian and unnatural Doctrines, and none among them that can bring themselves up to the Practice of the same; but even the Apologists are now fain to trim the matter with loose general talk, and softning Interpretations. But then the Sense of *Original Contract* runs thro' all our Law-Books, the unanswerable Mr. *Johnson* has cited so many, so clear Testimonies of this, that I will only mention the Confession of an English Monarch, King *James I.* who

who, tho' he uses not the Word *Contract*, yet he does a Synonymous, if *Paction* signifies the same as *Contract*: In his Speech to the Parliament 1603. he sets down the just Distinction between a King and a Parliament: But in his Speech to them 1609. he hath these Words: "The King binds himself by a double Oath to the Observation of the Fundamental Laws of his Kingdom; tacitly, as by being King, and so bound to protect, as well the People, as the Laws of his Kingdom; and exprelly, by his Oath at his Coronation: So as every just King, in a settled Kingdom, is bound to observe that *Paction* made to his People by his Laws, in framing his Government agreeable thereunto. But he that is most a stranger to our Law-books, may easily be able to prove, that the beginnings of all Forms of Government could not but proceed from the Choice or Consent of the People. It is true, God is the Fountain of all Power, but he does not communicate it immediately to Man, at least he has not done so in these later Ages; Nay, in

the Designation of *Saul*, and *David*, which is recorded to have been from God, 'tis remarkable that after the Divine Uñction, the People assembled, and by their Votes freely chose them, and before the Peoples Choice they were not actually Kings of *Israel*. But I will make short of this matter—Original Contract there must have been between King and People, wherever lawful Power is exercised by a King, because Kings are not immediately chose of God: But such a thing, as a Power to do mischief, which ought not to be resisted, never could be, because 'tis against the Nature of God to give such a Power to any Man, and that which inclines People to set up a King over them, restrains them from giving him such a Power.

If this be a Digression, I beg the Readers pardon, but I hope I have fully prov'd that at the time of the Convention, [when 'tis confess'd we were without a settled Form of Government; so that the Lords of their own free Motion address'd the Prince of *Orange* to take upon him the Administration



stration for a while] the Government could not have been settled otherways than it was settled, *viz.* by the choice of the Community ; and if they had not made so wise a Choice as they did in the Person of King *William* ; yet his Title would have been Lawful and Rightful, because his Person was the free Choice of the Community at that time when they had no King.

But notwithstanding this plain state of the Case, and, as I presume to think, these unanswerable reasons, the Old Tyrannical Doctrine had still a spreading root, and tho' the common Sense and Honesty of the Nation, long provok'd, and almost undone by it, was ready to check the encouragements formerly given it, and blast its open growth, yet now it began to shoot forth its baneful branches under the sheltring distinction of a King *DE FACTO*, and a King *DE JURE*. Of all the mischievous Doctrines, that ever were topt upon a Nation by holy Priestcraft, none ever stood more in need of Shelter. The Doctrines of Popery commit but slight depredations on the Liberties, and Proper-

ties of a People: but by IMPERIAL LAWS controuling the Political, by quiet Submission to illegal Violence, they are with a vengeance swept quite and clean away. Our comfort is, that no Parliament Men can possibly believe, that the People have no right to their Liberties, because the People chuse Knights, and Burgesses to defend their Liberties and Properties, and 'twere the most disingenuous injustice in the World, for Gentlemen to accept such a Trust, if they are of opinion, that the People are not rightfully possess'd of their Liberties and Properties: No Parliament Men can possibly believe, that King *Williams* is only a King *DE FACTO*, because it were the most Infamous Self-contradiction to joyn with a King to make Laws, in whom they did not own a right to give them a Sanction. Indeed when I look back on the beginning of this King's Reign. I call to mind those things, which somewhat amaze, and puzzle me. For who can take notice, without some extraordinary emotion, that any of the King's Chief Councillours should  
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urge him not to insist on his Title *DE JURE*, or that, when the owning him rightful and lawful King was started, and propos'd in the House of Commons, it should be coldly received and rejected. For if the King shall not hold his Title to be *DE JURE*, he must be an Enemy to his own quiet Possession, and if the Commons shall not own him for their rightful and lawful King, they must needs look upon themselves as Slaves, not Subjects, holding their Honours, Estates, and Interests precariously. For my part I cannot but conceive, that when the Lords and Commons in the Grand Convention, declared the Prince and Princess of *Orange*, King and Queen of *England*, &c. and settled the full and sole exercise of Regal Power on the Prince, they made him their Lawful and Rightful King. They made him their Lawful and Rightful King, or they made him nothing. Can any Man think or talk so absurdly, as that the Lords, and Representatives of the People chose the Prince of *Orange* to the infamous honour of an Usurper and a Tyrant, praying

ing him to play the Tyrant, and Administer that Government, which he had no right to meddle with? or that, at one and the same time they own'd King *James* his right to govern them, and would not admit him to exercise that right? These are absurd Contradictions, which cannot consist with the Honour and Wisdom of English Senators. But whatever any Enemy of our Settlement may pretend was meant by the Convention, who made choice of the Prince and Princess of *Orange* to be King and Queen of *England*, &c. and of the Prince alone to exercise the Regal Power, this I am sure that the distinction of a King *DE JURE*, and a King *DE FACTO*, is ill-grounded, and mischievous.

I. It is ill-grounded. This distinction can be trac'd no higher than *Edm. the IV.* and his first Parliament invented, and made use of it, not as a *Salvo*, for the justification of any thing done by, and under the Kings of the House of *Lancaster*, but in contra-distinction to a King *DE JURE*, and that Parliament did thereby de-

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note that they held a King in Possession, to be a King falsely so call'd only, and to have no right to the Allegiance of the People. But our Ancient Common Lawyers, *Bracton, Fortescue, &c.* knew nothing of this distinction. A *DE FACTO* KING OF ENGLAND, according to their sense of Words, is as perfect Nonsense and Contradiction, as ever was made use of, to illustrate the Romish Anti-evangelical *Mysteries of Priestcraft*. A KING *DE FACTO* is just as much as a Rightful and Lawful Usurper, or a Mild and Gracious Tyrant. Our honest Ancient Lawyers were not wont to flatter Ambitious Princes with such odd, and wickedly devis'd Distinctions, at the expence of their Countries Honour and Safety. A King, with them, was but of one sort, *Viz.* The Creature of the Law, The Ordinance of the People. *The King, says Bracton, has a Superiour, God, also the Law, by which he is made King. A King is made, and ordain'd, says Fortescue, for the Defence, or Guardianship of the Laws of his Subjects, and of their Bodies,*  
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*and Goods, whereunto he receiveth power of his People.*

Let Kings therefore [it is the monition of *Bracton*] temper their power by the Law, which is the Bridle of Power. These Famous, and Learned Lawyers would certainly have thought it very ridiculous, that the Title of a KING, should be deriv'd only from the Notion of a Fact; and the Exercise of his Kingship made to consist in the Execution of the Imperial Law of his Will. Between such a King as this, and a People, there can never be a good Understanding, but they will be eternally at variance, for their Interests are distinct, and separate, and cannot but often happen to be directly contrary to one another. I wish the Clergy Advocates of Imperial Power, would but well weigh the reasoning of the Reverend Mr. *Hooker*, a justly celebrated Writer, and I hope they will take his Word, for more than a Ceremony. I will Transcribe a Passage, they that like it not, let them answer it. He says, *That for any Prince, or Potentate on Earth, of what kind soever, to exercise*

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cise Government, and not either by express Commission immediately, and personally receiv'd from God, or else by the Authority deriv'd at first from the consent of the People, upon whom he imposes Laws, is no better than meer Tyranny, for Laws they are not, which Political Approbation hath not made so, but, approbation they only give, who personally declare their consent, or by others in their Names, by right originally deriv'd from them, as in Parliaments, &c.

But all of this Learned, Wise, and Good Man's order are not of his excellent true Christian Spirit, some of them, among those that best understand this matter, in spite of Reason, and common use of Speaking, will set themselves up for such imperious Dictators of Words, that the word King must needs signifie an Absolute Monarch. But what if it should be admitted to signifie so sometimes in some Countries, yet this is plain and undeniable, it does not signifie so always, nor so at all, in England.

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The bare Word or Title KING does not distinctly inform us, what Power belongs to him, that must be known by examining the Constitution of the State, wherein he presides. Perhaps some may object, that if a King has not an Absolute Power, he is dignified with a name which does not belong to him. But this is like all the rest, a positive stroke of Arbitrary Philosophy. Words signify as custom, and common consent make them, there is nothing in the nature of Words themselves, but that TYRANT might have signified a Just, a Gracious Prince, a Father of his Country; and KING, a faithless cruel Tyrant, a *Lewis*, or a *James*.

The Gibberish of a KING *DE FACTO*, and the Cant of an IMPERIAL LAW, are of the same nature and design, levell'd at the two Northern, equal, and equally hated Heresies, the Protestant Religion, and Monarchy limited by Law.

Mr. *Johnson* observing how long, and how troublesomely the Nation had been haunted with the Word  
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*DE FACTO*, out of pure kindness to his Countrymen try'd to lay the Goblin; but tho' he had exercis'd many a stubborn Devil in his time, nay once not only rescued, and restor'd some possess'd Creatures, but thrown the very Devil himself into flames, yet has he not been able to lay this *DE FACTO* Goblin. Perhaps I ought not to pretend to more powerful Charmes than he, however I will repeat the Exorcism, there may be something in that: And who knows but 'tis towards day-break with the Common People, if they once begin to discern the Priestcraft, and Statecraft of the distinction, a little matter will rid all King *WILLIAM*'s Dominions of the *Mischeivous Phantom*.

The plain English of a KING *DE FACTO* is of, or from Fact, or Deed. A KING *DE FACTO* must denote one, that by the means of some Fact, or Deed, is denominated a KING. *DE FACTO* in contradistinction to *DE JURE* implies an unrighteous forcible, an illegal violent Act. A KING *DE FACTO*

*FACTO* then is a false King, a wrong King, a King who carries Usurpation, and Tyranny in his very Title. A King so far remov'd from Rightful and Lawful, that he has not, no, not a right by Law, unless the Law of his Sword; a King that has no right to govern the People, but the People a very good one to take away his *DE FACTO*SHIP from him. But there is nothing in this false, and dishonourable Title of a King *DE FACTO*, that can be affix'd to King *WILLIAM*, without the most impudent and malicious injustice: tho more of it, than the Advocates of the late King are well aware of, really agrees to their Abdication.

If they who administred the Coronation Oath to the late King left out the Provision in the Ancient Oath, for the Peoples enjoying *St. Edward's* Laws, and added a special clause in favour of the Clergy's, Canonical Priviledges; if they clogg'd the promise of securing the Civil Rights of the Nation with a *Salvo* for Kingly Prerogative, then we may safely say that

But this false and dishonourable Title of a King *de facto* [as I said just now] cannot be affix'd to King *William* without the most impudent and malicious Injustice ; for he came over upon the earnest Solicitation of Lords

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Spiritual and Temporal and other Subjects of all Ranks, to deliver the Nation from Popery and Slavery : To this purpose he declar'd himself in Words, the Truth of which was clear enough from matter of fact, for the Forces he brought over with him were proportion'd to the Design of Relief and Assistance, not of Invasion and Conquest. He took not on him the Administration of Affairs for a time, but at the Request of the Lords Spiritual and Temporal assembled in the House of Lords, and of those Parliament Men that had serv'd in the Reign of *Charles II.* being assembled in the House of Commons: and at the meeting of the Convention he gave up that Trust, which had been committed to him but for a time, and and left it to the Convention to lay such a Foundation for the Security of their Religion, Laws and Liberties, as they themselves should think good. It was never yet objected to him by his most inveterate Enemies, that by any Acts of Force, or Arts of Corruption, he endeavour'd to work on the Members of either House to labour his own Advancement : But that was the free Election



ction of the Majority, after long Debates and Consultations on other Expedients: He did not lay violent hands on the Crown, but only accepted it when offer'd, and upon the Conditions offer'd with it.

It is a Truth undeniably manifest, that King *William* did not purchase to himself the Title of a King by any Fact of his own, save that by his Virtue and his Merit he recommended himself to the Community, and their Choice it was that made him King, that's the Fact and Deed he claims by, and 'tis the most Righteous and Lawful that can be, without a Miracle, which I think the *Jure Divino* Doctors do not pretend that we ought to wait for, that so we may have a lawful King.

The Election of the Prince of *Orange* to supply the Vacancy of the Throne gives him as Rightful and Lawful a Title, as the Election of any Community ever gave to the first elected King. There's nothing in the nature of a King *De Facto*, but King *William* has shown his abhorrence of it; when he took the

Oath, together with the Crown offer'd him by the Scotch Commissioners, he demurr'd at one dubious Expression, and call'd Witnesses that he did not intend by it to oblige himself to be a Persecutor, as if he had said, He would not be obliged by any means, to Govern in any Instances as a Tyrant, he would be no other than a Legal King.

In short, if the Choice of a People, whose King has broke the Original Contract, and will not govern by Law, but be the Law himself, or nothing; if this Choice cannot create a Rightful and Lawful King, then the Fault must be in the Office; but if the Office has no Fault in it, and it has none that I know of, I am sure there is no Flaw in the present Possessor's Title. It is impossible that every Member of the Community should be pleas'd with the Settlement of the Crown: but if a Party think much to be concluded by the Votes of the Majority, they ought to withdraw their Persons from this Kingdom thus settled contrary to their likings, and seek out some Country where Government is model'd more to their Mind: For while they stay here  
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and question the Right of King *William*, what do they but ridicule and reproach their own Act? In their Supposition, that they have set up a King *DE FACTO*, and no more, they suppose that they have given a Man Authority to play the Tyrant and do Mischief, they suppose that they have made Slaves of themselves, and given away their Liberties and Properties, they suppose they have done all that against their own Interest, which they were angry that the late King attempted to do : They will never vindicate their Honour, unless they renounce their Distinction, which I have prov'd ill-grounded. I will next show the mischievous Consequences of it.

The mischievous Consequences of it are these :

I. It lessens the Honour of the King. This Distinction was reviv'd in the first Infancy of our present Settlement, by some disappointed Persons, who, when they found they could not serve their turns of the Prince of *Orange*, [whom with humble Supplications they had

call'd in to their rescue from Popery and Slavery] nor prevent his Election to the Crown, presum'd that they should take from him, by Artifice, that which was confirm'd upon him [maugre all their Opposition] by Law.

It would have pleas'd them well, to have been screen'd from the Tyranny of King *James*, and protect'd in their Tyranny over their Brethren; but missing their point there, they thought they might safely restore the Divine Right to their late King, who could no longer hurt them; and as for the new elected Successor, who seem'd not made to serve their Party-interest, before all things else, he should be to them but as an Usurper, not have more than the empty Name of a King. *De Facto*, and *De Jure* nick'd this Contrivance to an hair, impair'd the Fame of their envied Deliverer, and gave them the ravishing Hopes of having their old Master again upon their own Terms.

They could not have started, had they studied for it, a more mischievous Reproach than this against their generous Deliverer; for thus they charg'd his

his honest and well aim'd Declarations with want of Truth and Sincerity, they rob'd his heroick Actions of their Civic Garland, they plunder'd his happy Successes of much of the just Welcom and Esteem, which was due to them from every free-born English-man.

Every dissatisfied Person that reviles the King's Honour with this illegal *De Facto* Title, Assassinate his glorious Fame, and comes but little behind [if he does not exceed nor equal] a *Granvil*, *Friend* or *Perkins*.

We have reason to believe that our glorious King *William* values his honourable Fame more than his Life; his honourable Fame may last thro' many Ages, his Life cannot; the Nation indeed is most concern'd in his Life, Posterity in his Fame: But we ought to be tender of the last, for they who hold him but a King *De Facto*, appear by their common Discourses very tender even of the Fame of his murderous Assassines, what little Stains a Brace of those Miscreants had contracted, are thought to have been done away by a *Triumvirate* of Absolvers. I should be glad to see that Affront to the Government re-

proved by other Arguments, besides what our Reverend Teachers use. The *Uncanonicalness* and *Unrubricalsness* of the bold Deed, not but that it might be Uncanonical and Unrubrical too, for ought I know; but I will swear that the Publick Absolution of Traytors, who are not pretended to have declar'd their Sorrow for that devillish Treason which brought them to the Gallows, no, not so much as in the Ear of the Absolver, was a more impudent piece of Roguery, than ever was committed by the Gown, in the Face of the Sun, with a Reverend Grace and Solemnity. I am afraid I digress, but I hope I am within the Purlues of the Forest.

It is the Distinction of *De Facto* and *De Jure* which I am to arraign, and I charge it to be Mischievous, because it lessens the Honour of the King, it draws King *WILLIAM*'s Picture too like that of King *James*; there's Difference enough, let but an ordinary Painter have the Shadowing it, between a Tyrant that will not be limited by Law, and a Rightful King who pretends to no Power but what the Law gives



gives him. Between the sternness of the one awing the Poor Scholars of *Maudlin*, and the Martial heat of the other forcing proud *Boufflers* out of *Namur*.

It ought not to be forgot, that this *DE FACTO* injury to King *WILLIAM*'s Honour, is an instance of unparalell'd ingratitude, for he ventur'd Life, and Fortunes for the Deliverance of our enthrall'd Nation, and that, upon the humble requests of the Chief of those very Men, who now requite him, with this Wicked, Shameful, and Ingrateful Distinction.

One would think it was not politically done of them, as it is plain, was not done honestly; for, who would serve their interest another time, if this be their way of Testifying their Sense of the Obligation? They are a Generation difficult, and hard to be pleas'd, and possibly it were easier to teach them their Duty, and make them Subscribe to *RIGHTFUL AND LAWFUL KING*, than to gratifie all their Pretensions, for, whether they know it or no, the honest English Men, who were enough to carry it, for the  
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Election of King *WILLIAM* to supply the vacant Throne, are enough to defend his Right, and establish his Throne, maugre all their restless endeavours to supplant him.

II. As their malevolent distinction lessens the honour of the King, so it weakens the Government. Unto a King *DE FACTO* only, there is no esteem, no Thanks, no Allegiance due. We may admire a difficult, and great Atchievment, but it must be a Vertuous, Honest, and Beneficent, which wins our Esteem, and Love; we must be the better for it, if it deserves our thanks, we must have paid our thanks in giving the Hero the Right of a King or he can have no just claim to our Allegiance.

Some Men teach, [and pretend the Authority of the Church of *England* for it, but therein they wrong their holy Mother] that Allegiance is due to successful Usurpers, and that Providence, together with success, grants them that Authority, which the People ought to obey for Conscience sake.

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When an unhappy interest with-holds us from professing our assent to an evident Truth, we are many times tempted to profess, and defend an evident and shameful untruth: So it is in the case before us. The *De facto* Men refusing to own the rightful, and lawful Title of King *WILLIAM*, are forc'd to say that Allegiance is due to Usurpers, for well they know, should they pursue their Principle as far as it would carry them, they could have no pretence at all to his protection; besides, open and declar'd enmity against the Government under King *WILLIAM*'s Administration, was too much in all conscience to be endur'd. Hence they found it requisite to labour to perswade the King, that they were oblig'd to obey him, tho' he had no right to govern them. 'Twas a strange Paradox this, so very strange, that, had they not been endued with the uncommon wit, and bouldness of gilding and varnishing it at the expence of the honour of God Almighty, they had made bold with the honour of the King to very little purpose.

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But it is my business to wash off the guilt and varnish, and show the odd Paradox naked, that no Consciencious weak mind be cheated thereby hereafter.

They would perswade the King, that they were oblig'd to obey him, tho' he had no right to govern them. This is pretended, first to have been the Opinion of some of the best Lawyers of former days, and Instance is offer'd in Sir *Edw. Coke*, the Judges in *Baggett's Case*, the Lord Chief Justice *Hales*, and the Lord Chief Baron *Bridgman*. But the Lord Chief Justice *Hales* for what he says, quotes Sir *Ed. Coke* only, against Sir *Edw. Coke's* Authority many things are obvious, besides that it stands singly on *Baggett's Case*; the Parliament Roll recited in that Case, is pointed directly against what Sir *Edw. Coke* is suppos'd to have asserted; Lord Chief Baron *Bridgman* has said nothing in favour, but much against the Paradox. For a fair and full illustration of these particulars, I refer to the *Review of Dr. Sherlock's Case of Allegiance*, Printed in the Year 1691.

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As our Law is not chargeable with so foolish and unrighteous an injunction, as that, which requires obedience to Kings in possession, Kings falsely so call'd, who have no right to govern; so much less is it to be defended from the words of Holy Scripture. But as it sometimes happens in other Cases, so in this, where Men have the least reason for it, there they put the greatest trust.

There is not a Text in the Bible which commands Obedience to Tyrants or Usurpers. The Scope of the places, and the evident reason of things all along evinces, that the Kings, Magistrates, and other Superiours, whom we are commanded to obey, have a lawful Authority to govern. Yet by artifice, and dextrous shifting the Sails, our *De facto* Men hope to weather the point.

Their method is, to refer all events to the over-ruling disposals of Providence; so as if Providence left nothing to the free will of Man.

Indeed if it were the positive Will of God, that Ambitious Men should grasp Sceptres, and Arbitrarily Lord  
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it over cheated or conquer'd People, then we ought to obey Tyrants, and Usurpers for Conscience-sake, but then the Argument would prove too much, for such Ambitious Men being the Ministers of God's Providence, and executing only what he would have them, they ought not to be called Tyrants and Usurpers, they have according to this reasoning, from Providence, a lawful Tittle. But the Sophistry, in this way of arguing from Providence, is plainly discover'd, and refuted by distinguishing between the Will, and the Permission of God Almighty. When those things, that ought to be done and which are just and good, are done, then the Will of God is complied with; when contrary things are done, then the Will of God is resisted, and oppos'd, for as Dr. Sherlock has excellently observ'd, *We are to learn our duty from the law of God, not from his Providence; the Providence of God will never justify any action which his Law forbids.*

Let me add, nor can we, without the highest impiety, ascribe an unlawful action, to his over-ruling influence; he does not so much as give leave to  
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the attempts of Ambitious Men, he is not pleas'd with Usurpation and Tyranny, and therefore it is impossible for him to require, that Obedience be paid to Usurpers and Tyrants.

God, for many wise Reasons, permits the Affairs of the World to go on, as they are mov'd by the force of Natural Causes, thence it comes to pass; that Craft, and Cruelty often prevail over Right, and Innocence: But God has not made the misfortunes of honest Men their Duty; neither Reason, nor Revelation forecloses them, from using the lawful means to free themselves from Oppression and Slavery.

When the *Calvinists* are charg'd with making God the Author of Sin, they commonly answer, that the Divine Decrees do indeed necessitate every Action, taken materially, not formally; I acknowledge this Distinction, to be an empty nominal distinction, not containing any sound reason to invalidate the heavy charge brought against them; But however, it shoves that the Men have some modesty, for, whatever may be the Consequence of  
their

their Doctrines, which they pretend not to see, they will not charge God so foolishly, as to say in direct terms, that he is the Author of Sin ; But the Defenders of the *De facto* Notion applied to King WILLIAM, are not afraid to make God the Author of Usurpation. They Blasphemously affirm, That *Allegiance is due, not to legal Right only, but to the Authority of God who sets up Kings, without any regard to legal Right, or humane Laws.*

If there be any Doctrine which more than another deserves to be call'd a Doctrine of Devils, it must be this, which boldly flies in the Face of God himself, and in downright terms proclaims, that the Judge of all the World does wrong. The publishing and defending such Notions as this, naturally tends to promote all flagitious and unjust attempts, and thereby to bring Confusion and Ruin upon a Nation.

The Great God has a just Authority over all Men, for He made them; they ought to obey him, for his commands are just, when he expostulates with Disobedient Sinners, he appeals  
to

to them, whether his Laws are not reasonable. He gives none but reasonable commands, but to obey Usurpers and Tyrants is not reasonable, nor any command of his.

The success of Ambitious Usurpers is not promoted by any favourable assistance from Heaven; but, is only the consequence of the Wit, Vigour, and industry of those Usurpers, the Almighty permitting, and leaving the course of things to the force of Natural Causes. It is a most impious thought to imagin, that the Righteous God should require us to be aiding, and assisting to wicked Usurpations. It might as well be thought, that he should bid us disobey lawful Powers, as bid us to obey Usurpers. In short, even the *De facto* Men themselves have granted all this, in their Discourses of God and Providence, when they have not had a By-cause to serve.

What I have now mention'd and censur'd, was all, which for some while, Envy and Ingratitude against our Glorious Deliverer, and Rightful King, could advance in behalf of that

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shameful Paradox——which requires Allegiance to be paid to a successful Usurper, a King *DE FACTO*, who has no right to govern.

But when it was observ'd, that neither our Law-Books, nor Bibles, by all the artful application of ill-affected Lawyers, and Priests, could be perswaded to spread a sheltring Umbrage over that shameful Paradox of theirs, which the denial of King *WILLIAM's* Right forc'd them to devise, some more refin'd Philosophers, with a particular Court-like Address, thought to save its Credit. The Throne (say they) being fill'd, [no matter how] we are protected by it, and the benefit of Protection requires the reciprocal duty of Obedience. By this one Argument, they would have us believe, that all Differences may be compromiz'd, their Consciences sav'd, and the Government in no danger.

But by their Favour, tho' perhaps their Consciences may shift well enough, come what will; yet I think the Government cannot be safely ventur'd upon their gratitude, we have had so many Plots, and Trayterous  
cor-

Correspondencies of Discontented Men, who were not only protected, but some of them trusted, and honour'd; that there's no avoiding such a suspicious thought.

But to speak close to their Argument: They make possession of the Throne, tho' obtain'd by bloody, and violent Mischiefs, the same thing as Protection; to an Usurper's Administration they give the name of a Benefit, and to such a Violent Benefit obtruded upon Men against their wills, they would have Obedience paid, as Duty. More Absurdities cannot well be crowded into so few words. A violent Possessor is like to give but an odd sort of Protection to them, who do not uphold his violent Possession, as far as they are able; his dealing to all but the Friends of his Usurpation will look more like Tyranny than Protection, and must more properly be called an Injury than a Benefit.

A violent Possessor does, by his first unjust Violence a present great Injury, to all them on whom he imposes his Yoke; and how should they expect

any future Benefit from him? For, by his Usurpation, they are depriv'd of all Right to claim, or expect it by any Obligation of Laws, or claim of Justice; what they shall chance to meet with of that kind, they must have from his unconfin'd Will and arbitrary Power, which is a very Capricious and Fortuitous thing.

Are we oblig'd to obey a Prince, whom not our Law, but his own Might advanc'd over us? Then it must be his Might that obliges us, and the Obedience which we pay, is Obedience *per Force*, Obedience falsely so call'd, in truth, it is no more Obedience than Possession is Protection, and Governing us whither we will or no, a Benefit; true Obedience is from choice, and always paid for real and valuable Considerations. The due Allegiance of Subjects is paid for the Enjoyment of Life, Liberty and Property, defended by such Laws as the Subjects have consented to, the Execution of which Laws is committed to his Trust, who is by due Course of Law made their Governor, under what high Character or Title soever.

He



He that is advanc'd to the Throne by due course of Law and Consent of the People, becomes a King *De Jure*, a Rightful and Lawful King, and to him Obedience is really due ; for, from his legal Possession, we have a real and not an imaginary Benefit under his Government ; we have a Protection from certain and known Laws, not from uncertain and unknown Will and Power.

From this plain and clear state of the Case it appears, That our refin'd Philosophers in their neat Argument are guilty of a wilful or weak Mistake in putting one Word for another, in calling violent Possession Protection, an Injury, a Benefit, Suffering Obedience : Whether I should call it a wilful or weak Mistake, I know not, for 'tis not plain to me which they value most, their Wit, or Honesty, but a manifest Mistake it is, and will not pass upon the Nation, unless they who take such pains to dress things in Disguises, had that Command in Rhetorical Sophistry which the old Declamators at *Athens* so valued themselves upon, pretending to be able to make the worst Cause look

well ; unless they could by artificial studied Words, and Strains of Wit, make the People esteem it as great a Benefit to live in the Apprehension and Expectation of being Slaves, as in the Condition of Subjects ; unless they could by wheedling Amusements, persuade them, that their Lives, Liberties and Properties are as safe under uncontrouled and Arbitrary Power, as under a Power limited by those Laws, which they themselves had a share in making.

In short, if this be good Reasoning, he that fills a Throne, tho' he has no right to fill it, does, by filling it, give Protection to the People ; and by governing them without their Consent, bestows a Benefit upon them, in return for which they are oblig'd to obey him : Then Thieves that break open a House, and spare the Lives of the Family, may be said to give them Protection, and in disposing the Goods at their own Pleasure, to bestow a Benefit on the true Owners, and what the Owners suffer under such a Terror, may be called Obedience : Nay, according to these Measures, the Man that

is

is hang'd may be said to pay Obedience, and he that trusses him up, right or wrong, is his Ruler *De Facto*.

The Preachers of Passive Obedience made it their Business to abuse the People with a very pernicious false Doctrine, but they gave it a proper, agreeable, and true Name; for, the plain signification of Passive Obedience is, *Suffering, Actual Suffering, Irremediable Suffering*: With a bareface it teaches, that if we receive no manner of Protection or Benefit by the Laws of the Land, but on the contrary, are depriv'd of our Liberties and Properties, yet we must submit and suffer: But the Authors of the Argument which I am reprov'g, are pleas'd to call Suffering, Obedience; the one would enslave us by a confident belying of Religion, the other by a subtle misuse of seeming Reason.

I have prov'd in General, that the distinction of a King *De Jure* and *De Facto*, as applied to King *William*, weakens the Government. I will now exemplify the same in some Particulars.

I. They that do not believe King *William* to be their King *De Jure, i. e.* their True and Lawful King, are not like to bear true Faith and Allegiance to him. They have no Motive, no Temptation to induce them: If they bear true Faith and Allegiance to a King, in their Opinion, an Usurper, they must contradict the Principles which God and Nature have implanted in them, they must cross their own present Inclinations without the Prospect of a future Advantage. It is as much as ever our Preachers can do, to keep Men from indulging their present Inclinations by the Hopes of a Recompence hereafter; but 'twould puzzle all their Eloquence to persuade them to this, when the Instance is not a moral Action fit to be done, nor any thing to be got by it.

The wonderful and unreasonable Confidence of those Jacobizing Authors, who would persuade their Readers, that Allegiance ought to be paid to a King, whom they believe to have no Right to require it, made me with

a strict Thoughtfulness consider, on what Bottom they could pretend to ground the Obligation; but Bottom could I find none, save that from the Christian Precept of loving Enemies, a merry Man might make a Jest on't. By the way, this most difficult of Christian Precepts, had been recommended to the World before our Blessed Master's Time, by wise Heathens, *Grotius* in his Book *De Ver. Rel. Christianæ*, quotes several, but no wise Heathen or Christian, ever explain'd that Precept so far, as to exact the Payment of good Offices to an Enemy at the Expence of the just Rights of a Friend, or Allegiance to an arbitrary King in Possession, to the Wrong of the lawful King unhappily dispossest'd: And I am of Opinion, that the Consideration of this, or a less justifiable cause mov'd a good Doctor to mince the matter thus: *It is our Duty to pray for the King in Possession, while we take care to do it in such terms, as not to pray against the dispossest'd Prince.* Which is as much as to say, We may pray that God would do such a King some small Personal Kindnesses

nesses, or so ; but not to discomfit his Enemies, or establish his Throne, and this justifies my Position, That they who do not believe King *William* to be their King *De Jure*, are not like to bear him true Faith and Allegiance ; we have but too long seen the Effects of the Doctor's Caution, one while many were contented to pray for King *William* only from the Desk in appointed Forms, they abstain'd from mentioning his Name in the Pulpit ; the most thought it enough in General Terms to pray God to be Gracious to King *William* ; not one of a hundred at this Day dares pronounce him Rightful and Lawful King ; they will, 'tis true, not grudge to call him the King that God has set over them ; but that's an oblique Reflexion, for, the same is their Phrase also for an Usurper.

The questioning King *William's* Title, was always the profess'd Cause of the Refusal of Swearing to bear Faith and true Allegiance to him. Indeed the above mention'd Doctor was pleas'd to tell the Nation, *That he did not refuse the Oaths out of any Fondness for the Government*  
of



of King James, nor Zeal for his Return: But I am confident he did not refuse them out of any Persuasion of the Right of King *William*, nor Zeal for his Establishment; in Truth, his Refusal of the Oaths, was a plain Declaration of his Sense against King *William's* Right; but when he took the Oaths, then to insinuate that King *William* had no Legal Right — *hic nigra succus foliginis, hæc est ærugo mera*. Yet this Doctor is a Saint, in Comparison with that Loyal Rector, who essay'd to prove, that notwithstanding his Oath to King *William* and Queen *Mary*, he had not put himself out of a Capacity to perform what he swore to the late King: Which makes it plain that they who are not persuaded of King *William's* Rightful Title, cannot be willing to give him, no, not their Oaths, unless it be for the better Opportunity to betray him. In short, I would sooner hope to find an Atheist, zealous to promote the practise of Vertue and Piety, than that the Government under King *William* should be rightly serv'd, by those that are persuaded of the Right of the late King.

When

When the late King sent Forces against the late Duke of *Monmouth* he was in the right, not to put his trust in the County Troops, for he look'd upon many of them to have no opinion of his Title, but rather to think well of the cause of the Invader.

'Tis the ordinary Policy of every Tyrant to oppress his own People with Mercenary Foreigners, or such Subjects of his own, as are Souldiers, who have nothing but Fortune, and his Bounty to trust to; 'twere as foolish to go about to suppress them by other Instruments, as 'tis wicked to oppress them at all.

Perhaps a hungry Lawyer may plead for his Fee against his Conscience, but a lover of his Country will not be the Chief Justice of an Arbitrary Monarch.

II. They that do not believe King *WILLIAM* to be their Rightful and Lawful King, are bound in Conscience to endeavour to dispossess him.

I know

I know there be some *Casuits*, who contend earnestly, that an Erroneous Conscience does not oblige a Man to follow it; in proof of their Negative, they muster many Zealous, and some Witty Pleadings, proper to amuse, and entertain one sort of Readers, but no Man can be convinc'd by them. For God gave us Conscience to be our Guide, and Nature will have us to follow it, whether in the doing good or evil. I prove it by this plain Reason——if we are not oblig'd to obey an Erroneous Conscience, then we are not oblig'd to obey a right and well perswaded Conscience, for the Erroneous Conscience thinks it self in the right, as well as the Conscience that both thinks so, and is so. A Man who is Erroneously perswaded in Moral Matters cannot but sin; he sins in following his Erroneous Conscience, when it prompts him to an Immoral Action, because by the Word of God, and Right Reason, he might have inform'd his Conscience better: He sins most audaciously when he acts against his Conscience, because he thinks it his  
Duty

Duty to obey it. Bishop *Taylor* teaches, That it is a greater sin to do a good Action against our Conscience, than to do an evil Action in obedience to it. The Example he brings answers exactly but to one part of his Rule, but comes near the other, and leads to our purpose. "Fryar *Clement* the *Jacobine* thinks Erroneously, that it is "lawful to kill his King: The poor "Damosel *Faucette* thinks it unlawful "to spit in the Church; but it hap-  
 "pen'd, that one day she did it a-  
 "gainst her Conscience; and the Fry-  
 "ar one day with his Conscience and  
 "a long Knife kill'd the King. If  
 "the Question be here who sinn'd  
 "most, the disparity is next to infi-  
 "nite, the poor Woman was to be  
 "chidden for doing against her Con-  
 "science, and the other to be hang'd  
 "for doing according to his. Thus  
 say I, those Assassines deserve to be  
 hang'd who attempt to kill, and those  
 also who consult, and labour to dis-  
 possess our Rightful and Lawful King  
*WILLIAM*; but while with an  
 Erroneous Conscience, they believe  
 him

him to be only King *DE FACTO*, i. e. a false King, but a real Usurper, I do not see how they can avoid *Treason*, and the danger of the Gallows. Now, bless us! and deliver us! Some Friends of the Party may say, from so barbarous Doctrine as this. What! Hang Men for obeying their Consciences? and doing what in their Circumstances they could not avoid. But to abate their Wonder, and let them into the cruel Mystery, I reply, it is but a Just, Reasonable, and Necessary Doctrine; for why should their Consciences disturb our Settlement, and endanger the Life of our King. They should labour to inform their Consciences better, or carry them to some other Country, where our Government, and the Life of our King, may be as safe from the treacherous practices of their Consciences, as their Consciences from the Just, and but too slow Vengeance of the Government; For, as Mr. Johnson told them long agoe, *He ought not to live under any Government, who refuses to give it the customary and legal caution.*

*They*

*They shall put you out of the Synagogues, said Christ to his Apostles, yea the time cometh, that whosoever killeth you, will think, that he doth God good service.*

*Friend, and Perkins, and their Fellow Assassines thought themselves oblig'd in Conscience to take off King WILLIAM, because they look'd upon him only as a King DE FACTO, a meer Usurper: In Conscience they held themselves oblig'd to endeavour the Restoration of the late King, because they look'd on him as King DE JURE. And rather than not effect these Purposes they engage to promote a French Invasion, which would have made bloody Work among us, but what car'd they for that, as long as it was to reinstate the right Heir. A more Mischievous Distinction cannot be imagin'd, than this of a King DE JURE, and DE FACTO, the former being applied to the late King, the latter to King WILLIAM; but I will descend to some particular Instances.*

This



This wicked Distinction, thus Mischievously applied, long encourag'd troubleſom Commotions in *Scotland*, but more fatally delay'd the Reduction of *Ireland*. It ſamish'd ſome Thouſands in *London-Derry*, kept a gallant Army from Action One Summer for Six Weeks, that was, till the Season for Action was over; ſo that the Victory of the next Year coſt the King ſome of his own Blood, and the Life of his brave General. It betray'd our Councils, and brought the *French Fleet* into our Channel, prevented the pushing on our Succeſſes, ſo that our diſhonour is not yet reveng'd, as it ought, and perhaps might be, it expos'd our Merchants, and ruin'd our Trade, it hatch'd many a Hellish Plot in *Ireland*, in *Flanders*, in *England*, againſt the Life of King *WILLIAM* and Queen *MART*, againſt the Liberties of this Nation, and the Lives of all honeſt Proteſtants, it hinder'd the due Examination of diſcover'd Plots, and reſcued Traytors convict, without obliging them to Confeſſion.

This Wicked, and Miſchievously ap-  
F plied

plied distinction contriv'd the last Hellish Conspiracy, laid it deep, and spread it wide, urg'd it on with a steddý Zeal, and unwearied Application under the Auspices of an exil'd Tyrant, and at the vast expence of his proud Protector, watch'd all opportunities to begin the Bloody Execution; conceal'd it obstinately, pursued it after disappointments, and we have reason to believe, that we are not got so far into the horrid Secret, but they have their hopes to retrieve it. However, blessed be God, who has brought so much of it to light, that we shall not perish—that we shall not perish, — unless it be our own fault; —if we please, —the Sun may be let in upon it, the Law may effectually suppress it, and then,—and not till then, we shall be safe, both we, and our King.

The undantedly honest Mr. *Johnson*, and one or two more, out of dry love to their Country, some Years ago oppos'd this Wretched, Mischievous, and Misapplied Distinction, with Learning, Wit, and Reason; but the Friends of the late King *James* could endure that

that Opposition, and reply little, while they met with no Penal Opposition from the Government: But when one or two of the Conspirators, averſe to ſo horrid a Villany, as was in agitation among them, reveal'd the deſign to the King, and the King laid it before the Houſe of Commons; of a ſudden the Spirits of that Honourable Body, the Representatives of the People of *England*, were rouz'd from the confus'd Lethargy of a doubtful Opinion, into a clear diſcerning Senſe of the danger, into which the Sacred Life of *KING WILLIAM*, and all the deareſt Intereſt of all true Engliſhmen were betray'd by the diſtinction of a King *DE JURE*, and a King *DE FACTO*. Immediately therefore to repair their Errour, with a juſt warmth, they declar'd the right of their King, that ſo they might on a ſtable Rock, build their own defence, which had been vilely ſhaken by the rotten Foundation of an Uſurper, daub'd over with the empty name only of a King. A very great Majority of that Auguſt Aſſembly, preſently cheerfully ſubſcrib'd the

Association, wherein, after they Sincerely, and Solemnly Profess, Testifie, and declare, That his present Majesty King *WILLIAM* is Rightful, and Lawful King of these Realms; they mutually promise and engage to stand by, and assist each other to the utmost of their Power, in the support and defence of his Majesties most Sacred Person, and Government, against the late King *James* and his Adherents. Further they oblige themselves, if the King should come to any violent and untimely death, which God forbid, to revenge the same on his Enemies, and their Adherents. Lastly, To support the Succession of the Crown according to an Act made in the First Year of KING *WILLIAM* and QUEEN *MARY*.

The House of Lords also, moved by the same amazing occasion, as the Commons, damn'd the Mischievous distinction *DE FACTO*, and *DE JURE*, declaring that His present Majesty King *WILLIAM* hath *A Right by Law to the Crown*, which Words one might be afraid of, but that

that their Lordships, ever Honourable, and Sincere, took care to secure them from Exception, by the next Plain, Righteous and Decretory Sentence,

— *And that neither the late King James, nor the pretended Prince of Wales, nor any other Person, hath any right whatsoever to the same.*

I can't see wherein this Declaration comes short of that of the House of Commons, for here the Lords determine, that King *WILLIAM* hath a Right by Law to the Crown, and such a Right by Law, that neither the late King, nor the pretended Prince of *Wales*, nor any other Person hath any Right whatsoever to the same; then of Consequence, He hath all the right to the Crown that can be, all the right that ever Prince had, or can have. And is in their Lordships Judgments, what the Commons have declar'd him, *Viz.* our Rightful and Lawful King. I am glad the Houses are so well agreed. But alas! neither has their happy Agreement, nor the following hearty and just Votes of the Commons carried the Association of

the Commons thro' the Kingdom, with that success as might have been expected, and as was due to so well advised a Sanction for the Publick good. The reason of which disappointment I cannot imagine, for I hope, that *Commoner's* Chaplain was not in the right, who openly told an Acquaintance, that the Penalties enforcing the Association were only *In terrorem*. But as if he had been able to give the Refusers Security, many stood off, and began to frame Exceptions against it. To pass by the little Cavils, and impertinent Sarcasms, started by vain and unquiet Men, who are proud to tell the World with what unfair Equivocation they swallow'd the Oaths of Allegiance, and consonant to that Scandalous Wickedness, will affix a sense of their own devising to the Parliament Association, or elle Associate in a cold empty Form of their own drawing up; to pass by every thing of this nature, I shall only reflect on the grand Exception, which is so common in the mouths of all the *De facto* Men. And that is  
this



this——They have as their bounden duty does require, that awful regard for the Divine Prohibition of Revenge, that they can by no means agree to oblige themselves to revenge the King's violent death upon his Treacherous Enemies.

To this I have several things to reply.

I. Tho' with some Men the Blood of a King is so cheap that it may be spilt like Water on the Ground, and they never trouble their hearts about it: Yet I make no question, but were it the Blood but of an Archbishop of St. *Andrew*, they would be very active to hunt the Murtherers from their Coverts, and bring them to condign Punishment. That these words may not be wrested, I do avow, that it was a necessary piece of Justice, the Punishment of that Archbishop's Murtherers. But I argue *a fortiori*, how necessary then is it to punish Wicked Regicides?

II. When a Noble Peer is impeach'd in Parliament for High-Treason, the Lords Spiritual pretend to a Right of Sitting, and Voting among his Judges, so that Clergy-Men are not willing to be wholly Sequestred from their share in legal Revenges.

III. When the House of Commons declar'd, [upon the occasion of the Popish Plot, discover'd by Doctor Oates,] that if His Majesty, King *Charles*, that then was, should come to any violent Death, [which they pray'd God to prevent, tho' [as 'tis thought,] they were not heard] they would revenge it to the utmost on the Papists. None of this Clan of Non-Affociators bawl'd against that Vote, as unchristian; and yet I do not see, but King *WILLIAM's* Life is as precious, and ought to be as dear to the Nation as ever King *Charles's* was; besides, I perswade my self, that Popish Assassines deserve not to be more severely treated, than—than any other Assassines.

IV. When

IV. When any private Person unites with the House of Commons, to revenge the Violent death of the King, [which God prevent,] he unites with the Representatives of the Body of the People, for the just Execution of a legal Revenge.

V. He that is not willing to do his part towards the bringing the Assassines of the King to suffer the Law, may be justly suspected as an Abettor of the Assassination, [if such a thing should happen, which God prevent] and if he be treated accordingly, he is not worse treated, than the old Lady *Lisle*.

VI. In a state of Nature, every Man has a Right to preserve all his honest Interests against the Injuries of others, and to punish such Injuries according as he judges they deserve to be punish'd. In political Society every Man resigns up this natural right to the Community, who intrust some chosen Man or Men to govern them, by settled Laws made with their own Consent

sent: Now if wicked Assassines shall traiterously take off the chief Head or Heads that govern, and so reduce the People to the unhappy Necessity of a new Choice, from whence may arise infinite Mischiefs, by Reason of the Differences of ambitious Pretenders, the People seem reduc'd to a state of Nature, and then every particular individual Person has a Right to be reveng'd of the Assassines. It is true, the English Government is Hereditary, and by Act of Parliament settled after the Death or demise of King *William*, on the Princess *Ann* and the Heirs of her Body, but then there is Danger that Jacobite Zeal may wade thro' more Blood to make a clear Vacancy for a Royal Abdicator; and if so, there's Reason for every true Englishman, by the Parliaments Association to denounce Vengeance against the Assassines; but the single loss of King *William* alone by violent, sudden Treachery, might chance to throw us into those Confusions, that it is just and prudent to associate to be aveng'd of them, that shall tear that dear Interest from us.

VII. Let

VII. Let who will refuse the Association, yet it is honestly and wisely done of them who enter into it ; for thereby they not only discharge the Duty which they owe to the King ; but also do that which has a powerful Influence to deter execrable Assassines from attempting the desperate Villany ; for it is the hope of Impunity that confirms the bold Nonjurors in their declar'd Enmity to King *William* ; the hope of Impunity that animates the sneaking perjur'd Jurors to abide by their mischievous Distinction of a King *De Facto* and *De Jure* ; the hope of Impunity that hatches Conspiracies, and carries on Correspondencies with *France* ; and no doubt King-killers hereafter will be harder to be hired, because that particular Villany has the least hope of Mercy ; to say no more, 'tis the hope of Impunity that hardens a perverse Conscience, and makes so many Non-associators.

VIII. 'Tis not indeed unwisely done of the Non-associators, that they may  
put

put the best Colour they can upon their Refusal, to pretend that they are Christians, and cannot be reveng'd, no not upon their most mischievous Enemies; but then it is easy to see thro' this Pretence; a wet Finger will fetch off the false Varnish; for tho' they dare not for the World Associate to revenge the violent Death of King *William*; yet they are well contented to give up Three Nations to the Vengeance of the late King, who if ever he returns, [which God of his Infinite Mercy, I beseech him, prevent] will return like the Evil Spirit in the Gospel, *with Seven other Spirits more wicked than himself, and the last state of our Nation shall be worse than the first*: For, as it is said by the Apostle, *It had been better never to have known the way of righteousness, than having known, to depart therefrom*: So it had been better for us never to have been deliver'd from the Yoke of the late King's Tyranny, than to submit our Necks to it again; if he hooks us under his Power a second time, it will be a Mercy to dispatch us; he will hamper us so  
suffi-



sufficiently, that our next Deliverer must be that sure Conqueror, who makes the ill figure in Churches with his Scythe and Hour-glass.

IX. Among the rest of the Mischiefs whereof the *De Jure* and *De Facto* distinction is the procuring Cause, set it down for one, That it keeps them who falsely and maliciously apply it to King *WILLIAM*, from associating with their Representatives in Parliament.

It comes into my Mind now, very opportunely, I think, That their Tyrant *De Jure*, just upon his departure, [and the Words of departing Friends we know sink deep into the Minds of good Christian People] advis'd his Loyal Officers and Soldiers expressly, and all his other Well-wishers [not worth naming] tacitly, not to expose themselves by resisting a foreign Enemy, and a poison'd Nation [that was his Complement to Old *England*] but to keep themselves free from Associations and such pernicious things. Our mischievous

chievous Distinguishers have observ'd this Advice most exactly, they have not yet rashly ventur'd their Carcasses in the Field against our King and Government. Their Treachery must succeed before they try their Valour; and as for Associations, and such pernicious things, they most religiously keep themselves pure and undefil'd.

For another particular Instance of the Mischief caus'd by the wretched Distinction, I might mention, That it encourages the Attempts of the French King, to re-impose on us the late King *James* as his Deputy, [for that's the most the late King in his vainest hopes can expect; nay, if it should rain Crowns and Miracles on *his* Head, who may have more Faith to believe the latter, than Strength to bear the former; he must govern by the imperious Dictates of his Protectors Arbitrary Will, he must be but the prime Minister of a superior Tyrant, nay, hardly that, for *Lewis* would not trust him but under French School-masters

sters, and having first deliver'd up cautionary Towns.]

If King *Lewis* were not well assur'd that the mischievous Distinction was suffer'd among us with impunity, he would not be at the Expence of a Livre to make a Descent upon us, but rather be glad to secure his own Shoars, which indeed is more than he can do now, *Rebus sic stantibus*. But that I may not on this Head chance to touch on some things said before, I am content to dismiss it with this bare mentioning, only let me take my leave of the *De Facto* Men with one question upon the whole matter: Since they vex their Wits to serve the Fury of a Prince whose Tyranny t'other day themselves could not brook, let them tell the World, Is Tyranny one of those Blessings whose value we can never enough esteem till we begin to want it?

I make haste to conclude my Discourse, and therefore shall wholly pass by some little *Inconveniences* caus'd by the Distinction of a King *De Facto* and  
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*De Jure*, such as that it hinders the late King's Devotions; if it were not for the vain hope of returning to be reveng'd of a certain poison'd Nation; why, he might retire to a Religious House, and spend the Remnant of his Life in Prayers, Mass it early and late, for the Soul of his Elder Brother, or any of the unlucky Assassines that t'other day fell in his Cause, and might for ought he knows drop into Purgatory notwithstanding their Absolution: Or if a Court is the thing with which his Heart is ravish'd, he might e'en betake himself to his Holy Father, the Blessed Pope's Holy Court, where he might be forgiven, submitting to Penance, all the Improvidences and Cowardize in his frustrated pious Attempt to Massacre a Nation or two of Hereticks.

As a Corollary to the foregoing Discourse, take this— The Impunity of them who own King *WILLIAM* only as a King *De Facto*, discourages the Friends of the Government, who own him, and believe him to be our  
Rightful

Rightful and Lawful King. It is true, a Man of steady Vertue will not be put by the Practice of those Duties which serve the Interest of his Country, by any Neglects from the Government, or Apprehensions of Danger likely to happen: But surely their Number, who have wrought themselves up to such consummate Excellence, bears no Proportion, either with their own Friends, who are but [more or less] well inclin'd, or with their Enemies who are mischievously bent: Of the most of them that sincerely believe King *WILLIAM* to be rightful and lawful King; I fear this is the extent of their Praise: They are ready to defend the Government as far as the Government is willing to defend it self and them; but cautiously do they abstain from an over-active Zeal, which is not well accepted, for fear it should be visited upon them and their Children in another Revolution. For my part, I believe it as impossible for our late King

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*James*

*James*, to recover his forfeited and abdicated Crowns, as for the intreaguing King of *France* to make himself Monarch Universal : But the annual Succession, and thickning of Jacobite Plots, and the last refusal of a Bill to be brought in, obliging certain persons to abjure King *James* ; convince me, that Men of good and bad Principles, have, the one hop'd for, the other suspected and fear'd such a new dismal Scene of Affairs. And, for ought I know, the Establishment and Security of the Government under King *WILLIAM*, may be owing more to what has been done against it, than to what has been done for it. *Periîsseni nisi periîsseni* : I think it was the Saying of the brave *Themistocles*, by which I suppose he design'd to declare that it was his Opinion, he had not arriv'd at that Height of Greatness, if he had not been ruffled, oppos'd and banish'd ; and I am very fully satisfied, that if it had not been for this last devillish Invasion  
and



and Assassination-Plot, we had not in haste declar'd King *WILLIAM* our Rightful and Lawful King, nor associated for the Preservation of his Life, by threatening to revenge his violent Death.

There is a difference between those that were to have had their part in the Assassination, and those that were concern'd only in the Invasion. The Assassines are not able to devise any the least colour to take off from the Heinousness of their intended Villany. *Perkins* was a little sham'd of this infamous Design; but as for the Promoters of the Invasion, their Treason was but Consonant to their old mischievous Distinction of a King *De Facto* and *De Jure*: Some of the Assassines have met their deserv'd Fate, but the simple Invaders have hardly been scar'd; yet if they shall not be call'd to an Account also [who bid fair for slaying Ten Thousands of the People, and so making up in Numbers, a Sacrifice equal to that

of their King ] they will not only be confirm'd that they have distinguish'd well, but prompted more vigorously to pursue the fatal end and purpose of their threatening Distinction. And this indeed is enough and enough to cool the Zeal, and to discourage the Endeavours of them that are otherwise very well dispos'd to serve the Interests of King *WILLIAM*, their Country, and the Protestant Religion. Our King himself is not capable of endangering his own just Rights, or the Safety of the People of *England*, unless by his singular Mercy and Goodness, which like his fearless Valour, knows no Bounds: as for the Representatives of the People, it may be Reasonably presum'd, they will at last provide, that the *De Facto Jacobites* shall not have the Temptation of Impunity to attempt to subvert the Liberties of the Nation, and to destroy the Lives of all that love their Liberties. They have indeed, according

ding to the Trust reposed in them, honestly endeavour'd and advanc'd some Paces towards such a necessary Provision, by their Noble, Just, and Righteous Association: But there remains a great deal more for them to do still, lest what they have already done, be frustrated, and render'd all together ineffectual; for their Association is no sooner drawn up, subscrib'd by a great Majority, and the Session prorogu'd.

But Ante-Associations are form'd against it by some of the Clergy, not indeed in broad Words directly contrary, but in cold and empty Flourishes of their own devising, and such borrowed Expressions as they imagine capable of an interpretation, that will not utterly subvert their Distinction of a *KING DE FACTO*, and *DE JURE*, Which Distinction while it Reigns unpunish'd, *KING WILLIAM*

does not reign secure. Several of the Ante-Associations were drawn up so little favouring the Title of His present MAJESTY, so little consulting the Security of his Administration, that it was scandalously manifest, the Subscribers associated only in lewd Hypocrisy, to avoid the Envy of Non-associating, to sham the Authority of the Nation with some deceitful Complements, but in Reality and Truth, to preserve their dear Distinction. Such Associations therefore as these, were rejected, as they well deserved, nor could all the Academic Elegance bestowed upon them, help them through the officious Hands of Friends, to his Majesty's gracious Acceptance: But these Gentlemen carried it highly, if his Majesty would not accept such Association as they had drawn up, he should have none at all from them. This being observ'd by other Persons of the same Order, they wisely consider'd what Inconveniences

veniences might possibly happen from not Associating at all, and therefore determin'd to comply, but resolv'd to come off as cheap as they could. They would venture to Associate, but not with their Parishoners in the Form prescrib'd by the House of Commons [except here and there an honest Parson that had no Priestcraft in him] wherefore they carefully abstain from declaring it to be their perswasion, that His present Majesty King *WILLIAM*, is Rightful and Lawful King of these Realms; and as for his Violent and untimely death, should it happen, which God prevent, they oblige not themselves to revenge it upon his Enemies and their Adherents. But let us see! What do they give us in the room of **RIGHTFUL AND LAWFUL KING**, and instead of making it the utmost danger to kill him? Why? They borrow some words from the Association of the House Lords, and insert the same among

some empty Flourishes of their own ; upon which I note, that, altho' the Form of the Association of the House of Lords, be in the Literal, Plain, and Obvious Sense, and in the Sense by them intended, Truly, Just, and Highly Loyal, yet when Clergy-men, who are represented by the House of Commons, and not by the House of Lords, shall Associate in the Language of the latter, and not of the former, it is a manifest sign, that they dislike the Association of the House of Commons, and that, tho' the Association of the Lords tends to the same Just, Noble and Necessary Purposes, yet in their Opinion it may be interpreted to signify something less. It cannot be imagin'd, that any of the Clergy should decline the Association of the House of Commons, by whom they are represented, if they were perswaded that the same was a Just, and Righteous Association ; it cannot be imagin'd that they should prefer the



the Phrase of the House of Lords, by whom they are not represented, if they were firmly perswaded [as I declare my self to be] that, that Phrase did come fully up, to the Sense of the House of Commons, and could not possibly be interpreted to signifie, with a *Jacobite* abatement, something favourable to their mischievously applied distinction of a King *De Facto*, and *De Jure*.

Now in this their Practise they do a great injury, to both Houses, they audaciously slight the one, and wickedly traduce the other. What reward so high a Misdemeanour may deserve, I take not upon me to pronounce; but I hope I may have leave to say, that these Clergy-Association-Separatists have not that unquestionable fair pretence to His Majesties Special Graces and Favours, as the voluntary Subscribers of the Association of the House of Commons; indeed they may,  
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considering the Wonderful Generosity of the King, expect as much Forgiveness as they shall need, and more Grace and Favour than they are dispos'd to deserve: But it were a Presumption very like Impudence in them, to hope that His Majesty King *WILLIAM* should prefer them before his best affected Liege People, who Associate, [as is most Just and Proper, Fair and Unexceptionable] with their Representatives in Parliament, Heartily, Sincerely, and Solemnly Professing, Testifying and Declaring, that His Present Majesty King *WILLIAM* is Rightful and Lawful King of these Realms, &c. And that they will stand by one another, in revenging his untimely death, [which God prevent] upon His Enemies and their Adherents.

It was a very sharp Reflection, and, I would very fain perswade my self, an unjust one, that of Mr. *Dryden*, *For Priests of all Religi-*

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*ons are the same* ; but it grieves my Soul to think, that so necessary an order of Men, Protestants, as well as Papists, should be so generally given to oppose the Proceedings of the State.

Old and Crazy is the Body, I cannot say, which I carry about with me, but which is carried about for me ; but yet, I am in hopes, that it will hold out, till all His Majesties Subjects represented by the Commons, be taught the necessity of Subscribing the Association of the House of Commons ; for, I well remember, how before the end of their last Sessions, they set their own Members a day to Subscribe it, or declare their Refusal ; also the Names of Refusers were requir'd to be return'd, from all or most Towns of the Kingdom ; which was setting and a distinguishing Mark upon them ; and it is not reasonable to suppose, that they will suffer their August Assembly,

sembly, and Wise Councils to be so contemptuously us'd, as they must be, if that Form of Association, which their Wisdom judg'd absolutely necessary to save the Honour and Life of the King; the Lives, Liberties, and Religion of the Subject, happen to be disappointed by particular Forms of Association, devis'd by some Discontented Ecclesiasticks, who refuse to declare, that His present Majesty King *WILLIAM* is Rightful and Lawful King of these Realms; and have so very little love for His Person, that who as will may Assassinate him, for all them, with impunity. O the Christianity of these Gentlemen! Whose Consciences will not serve them to be aiding and assisting any just Orders of Legal Revenge! If this be Christianity, commend me to the Manners, and Doctrine of Heathens. But why should Christianity be reproach'd for their sakes? That Holy Institution neither injures the Civil Rights

Rights of particular Persons, nor alters the Grand Reason on which Political Societies, Kingdoms, and Commonwealths are founded, and preserv'd. *Salus populi* the good of the People is the grand Reason on which Political Societies are founded; the good of the People requires that Enormous Wickednesses should not escape unpunished; he that has it in his power, but will not contribute to the Legal Punishment of an Infamous Assassin, is wanting in the duty which he owes to that Body Politick, whereof he is a Member. In short, every Member of a Body Politick is in strict justice oblig'd to endeavour, as far as in him lies, to bring to Legal Punishment the Bloody Villain that shall murder the meanest of his Fellow Subjects; this is a duty, which by the Fundamental Reason of Society is owing from every single Person to the Publick; how much more strongly does it oblige, if a brave Prince should fall

fall [ which God forbid ] by the Treacherous Cruelty of ingrateful Miscreants, prompted by a disappointed Tyrant, and supported by a Faithless, Enchroaching Foreign Enemy? It is a very odd thing, that any Men should pretend Conscience for their forbearance of that action, which they are bound in duty to perform, tho' they look no farther, than their being Members of a Body Politick. There is no Government upon the face of the Earth, that will take them in upon other conditions, than their agreeing to be reveng'd upon those Assassines, whose desperate Malice shall wound the Publick in so noble a part, as her Chief Officer. And therefore we have good reason to hope, that since the Government knows her boldest Enemies who [ mindful of the Advice from *Rocheſter* ] will not Associate with us at all; and her No-friends who will not Associate in the form of the House of Com.



Commons, since, I say, the Government knows them *intus & incute*, fully, and thoroughly, [as she well may, after Seven long Years troublesome experience] that she will now at last take the necessary security, that security which Providence hath so loudly, and so oft proclaim'd to be the only necessary; by which not only the Government, but, by the blessing of God, even the Enemies thereof may be brought to their right Wits, and sav'd from cruel Tyranny, and foolish Superstition. This looks, some may object, as if I wish'd, that the Association of the House of Commons might be impos'd on the Clergy. I might reply, if that really was my wish, I know no great harm which would follow; but I rather choose with all softness to clear the purpose of my Writing.

I remember to have read some Author, who vindicating the practice

Etice of the Church, [which sometime had been,] in compelling Men to Conformity, when he was asham'd to affirm in exprefs terms, that violence might be offer'd to Mens Consciences, in matters about Religious Worship; He gave this turn to the matter — they might lawfully be compell'd to *consider*. I mean no more, as to our Dissenting Associators. And I am perswaded, let the Government give them but one good Argument able to move them to consider the matter, they will never stand with their Representatives for the Phrase of RIGHTFUL AND LAWFUL KING, no, nor the Word REVENGE neither, which when the Parliament threatned against the King's Enemies, they never dream'd it would scare the Clergy.

For the ground of this my perswasion, I will tell the Reader a Story.

When

When Pope *Paul* the Vth. quarrell'd with the *Venetians*, the Imprisonment of a brace of Ecclesiastick Villains was the least thing that troubled him. But the great Offence was from Two Decrees, the First commanding that no more Churches should be Erected within the City Precincts; the Second that no more Lands should be alienated to the Ecclesiasticks, without leave had from the Senate. It seems the Senate were for Governing the Republick, by such Decrees, as they judg'd necessary for the Publick Good. The Pope Excommunicates the Duke and Senate, lays their Dominions under his Interdict, the Jesuits Associating on the side of his Holiness, obey the Interdict, and refuse to say Mass; for this, the Senate banishes them, but the People Associating with the Senate, instead of mutining for the Holy Fathers now ready to depart each Man with the Hoast at his Neck, intimating that they and JESUS  
H CHRIST

CHRIST were both taking their leave together, bid them be gone with a vengeance. The Senate pursu'd their steddly Resolutions with an Order that all Ecclesiasticks, who would not continue the Celebration of Divine Service, should retire out of their Dominions; upon this, many of the Holy Men, especially the *Capuchins*, had the Courage to make a noise of departing, they intended to have gone out in Procession with the Sacrament, but that the Senate forbid it; they actually did use all Arts to make the People apprehend the sadness of their case, and that the being without Priests was being without God in the World. One Morning therefore they celebrated Mass, they eat up all their Gods, and concluded the Service without blessing the People. But the Senate stood firm to their Order, and the People were quiet, and content to take care of their own Souls, which so troubled these

these Holy Fathers, that several alter'd their minds, and were content to stay and do their Duties, most of the *Capuchins* in the Territories of *Brescia* and *Bergamo* wisely consider'd that they could not live half so well without their Flock, as their Flock without them; therefore when they saw they could not help it, they associated with the Senate, and celebrated Divine Service as before, notwithstanding the Pope's Interdict.

I will not say, That every thing in this Story, which relates to the Senate of *Venice* and their Clergy, runs paralel with the Circumstances between the Government, and our Clergy-dissenting-Associators; but if any one shall say, that there is no manner of Resemblance between the one and the other, I must beg his Pardon. What may or may not be fitly applied, the Reader shall freely judge, I will not labour to pre-

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possess him with my Notions ; yet I will make bold to affix one Note to the Story, and That's this—— It was not with the Popish Religion, nor its Ministers, that the Senate had a Difference; only this they firmly resolv'd, that none should be Ministers of Religion for them, that would not own, that the Senate had a Rightful and Lawful Authority to govern the Republick by what Decrees they pleas'd, without asking leave of the Pope.

The Readers Trouble shall be over, when I have told him, it is not the Church of *England*, nor Ministers of the Church of *England*, as such, that I have here tax'd; for I heartily and sincerely profess a profound Veneration to the Right Reverend Fathers in God, my Lords, the Archbishops and Bishops that are as faithful to his Majesty King *WILLIAM*, and the Interest of their Country,

as



as *Paolo Sarpio Veneto*, better known by the Name of *Father Paul*, was to the Senate of *Venice*; I highly esteem and regard all the inferior Clergy, whose Honesty and Loyalty keeps even Paces with the House of Commons, the Representatives of the People of *England*, and equals them to those Venetian Ecclesiasticks, who prefer'd the Decrees of the Senate their Lawful Governors before the Interdiction of their Holy, Medling, Spiritual Father, the Pope.

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## P O S T S C R I P T.

O F the Mischiefs which flow from the seditious Distinction of a King *De Facto* and *De Jure*, there is no end; as oft as I think of it, new Instances of its Mischievousness occur to my mind: For might not a French Commissioner at a Treaty of Peace, from hence take occasion to argue after this manner——As it was said in behalf of the Dutch, when they first refus'd the Bank of *England's* Bills, *Why should they take them, when the English among*

*among themselves would not ?*  
 So it may be said in behalf of  
 the French King, *Why should*  
*he own King William for*  
*Rightful and Lawful King of*  
*England, &c. when so many*  
*of the Clergy, enjoying their*  
*Tythes and Pulpits, and not a*  
*few of the Laity in publick*  
*Office and Imployment will not ?*

Might not the Monsieur  
 pursue the Raillery thus —  
 When the Government does  
 not think fit to impose the  
 Lawfulness of King *William's*  
 Title on the Consciences of  
 the Clergy, and all other  
 Officers and Magistrates com-  
 missionated by his Majesty,  
 why should it be im-  
 pos'd on the Conscience of

the French King, who is none of King *William's* Subject, but a Crown'd Head, as well as himself? I know not what could be reply'd to this argumentative Raillery, which mingles Reason and Reproach together, unless that English Subjects of all Orders and Degrees should be better taught their Duty for the future, and then the French King would stand with us for nothing— When once those wretched Inventions of Usurpation, Conquest and Desertion, Branches of the *De Facto* Doctrine, are penally restrain'd, as by English Law they might and ought to be; there's not a Clergyman of an hundred, but shall justify the choice

choice of the People and speak honourably of the Conventional Parliament; there's not a Lay-Magistrate but shall know under whom, and for whom he was created, and dare as well be—— as betray King *William* or his Country.

Let Clergy-men and Laymen be compell'd to Associate in the Form of the House of Commons, to defend their Rightful and Lawful King *William*, and to revenge his untimely Death, which God prevent, [ and a very little compulsion will doe, for the most backward of them, are only a little Knavish, or so, not obstinate ] and there shall not be a Mercenary Villain

lain found, that will be hir'd to lift up a hand against him, not a Crown'd, nor Decrown'd Head so foolishly wicked, as to go about to hire them.



*Note, That this should have been inserted among the Arguments, which are offer'd against the Non-Associators, who scruple the word Revenge.*

**A** Parliament - Association with the Royal Assent, is in all its Parts, as Legal, as any other Parliamentary Act with the same Royal Assent; and if the Supream Authority of a Nation, may decree what sort of Punishment, they



they judge most proper, to be inflicted on Thieves and Robbers, House-breakers and Murderers; nothing hinders but that they may decree what Punishments they please, to be inflicted on those Treacherous Assassines, that shall kill King *William*. And if the Supream Authority of a Nation may lawfully Authorize all and every Person of the Nation to kill a mischievous Out-law, where e're they find him; no Reason can be giv'n why they may not Authorize all and every Person of the Nation to be reveng'd according to the utmost of their power, of the Treacherous Assassines that shall kill King *William*. It is the interest of the Nation  
that

that such Treacherous Assassines should not scape Vengeance, it is therefore the prudence of the Parliament to Commission every particular Man against them.

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*FINIS.*

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